INITIAL STUDY

for the

State Route 99 Corridor Bikeway
(Capital Project Services Project No. 50166)
Easterly Bridge

City of Chico
Environmental Coordination and Review
Capital Services Department

September 2009

ATTACHMENT 3

Easterly Bridge

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Abbreviations and Acronyms

Agencies, Boards, Commissions, Districts:

BCAQMD ..... Butte County Air Quality Management District
Caltrans ..... California Department of Transportation
CARB ..... California Air Resources Board
CARD ..... Chico Area Parks and Recreation District
CNPS ..... California Native Plant Society
CUSD ..... Chico Unified School District
(CV)RWQCB ..... (Central Valley) Regional Water Quality Control Board
DOT ..... (US) Department of Transportation
DFG ..... (California) Department of Fish and Game
DTSC ..... (California) Department of Toxic Substances Control
EPA ..... Environmental Protection Agency
FAA ..... Federal Aviation Administration
FEMA ..... Federal Emergency Management Agency
RDA ..... (Chico) Redevelopment Agency
USACE ..... United States Army Corps of Engineers
USFWS ..... United States Fish and Wildlife Service

Approvals, Agreements, Permits:

CASWP ..... Construction Activity Storm Water Permit
ITP ..... Incidental Take Permit
SAA ..... Streambed Alteration Agreement
SWPPP ..... Storm Water Pollution Prevention Plan

Guidelines, Policies, Programs, Regulations:

BMP(s) ..... Best Management Practice(s)
BPM ..... Best Practices Manual
BPMMP ..... Bidwell Park Master Management Plan
BPTM ..... Best Practices Technical Manual
CAMRP ..... Chico Amended and Merged Redevelopment Project
CBC ..... California Building Code
CCR ..... California Code of Regulations
CEQA ..... California Environmental Quality Act
CESA ..... California Endangered Species Act
CFR ..... Code of Federal Regulations
CIP ..... Capital Improvement Program
CWA ..... Clean Water Act
ESA ..... Endangered Species Act

FAR ..... Federal Aviation Regulations
GP ..... General Plan
MEA ..... Master Environmental Assessment
NHPA ..... National Historic Preservation Act
NPDES ..... National Pollution Discharge Elimination System
NPDES II ..... NPDES Phase II
PRC ..... Public Resources Code
RDA ..... Redevelopment Agency
SWMP ..... Storm Water Management Program
UBC ..... Uniform Building Code

Miscellaneous:

BPF ..... Bidwell Park Flyers
CMA ..... Chico Municipal Airport
CNDDB ..... California Natural Diversity Database
CSC ..... California Species of Special Concern
CSS ..... Combined Sewer System
dB ..... Decibel(s)
FIRM ..... Flood Insurance Rate Map
LOS ..... Level(s) of Service
mgd ..... Million Gallons per Day
MS4 ..... Municipal Separate Storm Sewer System
PM_{10} ..... Particulate Matter less than 10 Microns
$PM_{2.5}$ ..... Particulate Matter less than 2.5 Microns
§ ..... Section
SR[#] ..... State Route[99, et al]
USHPA ..... US Hang Gliding and Paragliding Association

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INITIAL STUDY

CITY OF CHICO
ENVIRONMENTAL COORDINATION AND REVIEW

ROUTE TO:

- ☒ City of Chico – Building and Development Services Department
- ☒ City of Chico – Parks Department
- ☒ State Clearinghouse
- ☒ All Trustee and Responsible Agencies (USFWS, RWQCB, CVFPB, DFG, et. al)
- ☒ Butte County Planning
- ☒ Butte County Public Works
- ☐ Butte LAFCo

1. Project Description

A. Project Name: State Route 99 Corridor Bikeway Project

B. Project Location: The proposed project is located in T22N, R1E, Section 25; T22N, R2E, Sections 30, 31; and T21N, R2E Sections 5 and 6 of the Chico and Richardson Springs Quadrangles, Butte County, CA.

The proposed project extends approximately 6.7 miles along the SR 99 corridor from Eaton Road at the northern terminus and Southgate Avenue at the southern terminus. The proposed project is comprised of a combination of Class I and Class II/Class III facilities and generally parallels the state route corridor. To the greatest extent possible the project uses City surface streets, drainage easements and City parkland (see Figure 1, Location Map).

For a detailed description of the project, location of proposed facilities, and types of facilities proposed, refer to the "Project Description" section below.

C. Type of Application(s): City of Chico Capital Project (Nexus)

D. Assessor's Parcel Number(s): The proposed facilities, which would traverse seven books and over 50 pages, would be constructed in the vicinity of more than 400 individual parcels. From north to south, the proposed project would occur within the following Assessor's Books and Pages:

Books	Page(s)
007:	04, 05, 06, 08, 09, 14, 26, 27, 28, 31, 33, 34, 35, 39, 41, 54
015:	32, 33, 34, 38
045:	14, 15, 24, 25, 26, 27, 28, 30, 46, 48, 50, 65, 70, 73
003:	37, 42, 46, 47, 48, 50, 51, 54, 55, 56
002:	01, 06, 11, 14, 20, 33, 37, 42
005:	30, 31
040:	03

F. General Plan Designation: Various, including Low Density Residential, Medium Density Residential, Medium-High Density Residential, Mixed-Use Neighborhood

Core, Community Commercial, Community Commercial and High Density Residential (Transit Corridor), Commercial Services, Manufacturing and Warehousing, Public Facilities and Services and Open Space/Creekside Greenway

G. **Current Zoning:** Various, including R1 (Low Density Residential), R2 (Medium Density Residential), R3 (Medium-High Density Residential), C-1 (Restricted Commercial), C-2 (General Commercial), CN (Neighborhood Commercial), CC (Community Commercial), PMU (Planned Mixed Use), ML (Light Manufacturing), PQ (Public/Quasi-Public Facilities), OS1 (Primary Open Space), and OS2 (Secondary Open Space)

G. **Environmental Setting:**

The proposed project is located within the City of Chico city limits. Divided into two Phases, Phase I of the proposed project would be located on existing surface streets, within Shasta Union Drainage Assessment District (SUDAD) easements, and use existing facilities that cross natural drainage ways and City parkland. Phase II of the project would be located on existing surface streets and would also potentially require the acquisition of right-of-way from various properties along the proposed alignment.

The bicycle corridor is predominantly flat and generally parallels State Route (SR 99). Land uses within the project corridor include: low and medium density residential, commercial services, community commercial, public facilities and services, manufacturing and warehousing. A portion of the Shasta Union Drainage Assessment District's (SUDAD) channel system generally parallels SR 99 and extends from Eaton Road south to Panama Avenue. In addition, the proposed project connects to existing facilities that cross over Lindo Channel and through Bidwell Park. As part of Phase 2, a proposed clear-span bridge is proposed over Little Chico Creek adjacent to Teichert Ponds.

In addition, portions of the proposed project corridor cross through areas that are part of other roadway and facility improvement projects. Environmental review and documentation, per CEQA requirements, has been conducted and/or approved for those projects. This initial study refers to and incorporates by reference those projects, which include:

- Chico Mall Expansion Initial Study
- Teichert Ponds Restoration Project Initial Study/Mitigated Negative Declaration
- Proposed State Route 32 Widening Project

The above referenced documents are available for review at the City of Chico offices, at 411 Main Street, 2nd Floor, Chico, CA or online at:
http://www.chico.ca.us/planning_services/public_review_documents.asp

H. **Project Description:** The project includes the following components:

The State Route 99 Corridor Bikeway Project (hereinafter referred to as the SR 99 Bike Path or proposed project) is a long-term bicycle facilities project expected to be developed in two Phases. Phase 1 will be completed within the next 12 months, and Phase 2 is planned for completion within three years, depending on funding. The ultimate bike path alignment is a 6.7-mile long continuous bikeway comprised of a combination of Class I and Class II/Class III

facilities along the SR 99 corridor from Eaton Road at the northern terminus and Southgate Avenue at the southern terminus. These facilities will generally parallel the state route corridor to the greatest extent possible using City surface streets, drainage easements and existing facilities, including City parkland. **Figure 1, Project Location**.

There are three components to the SR 99 Bike Path project: existing Class I and Class II bicycle facilities and proposed Phase 1 and Phase 2 improvements. Phase 1 and Phase 2 components include the construction of Class I bike paths and Class II/III designated bike lanes and routes. Buildout of the SR 99 Bike Path project will be constructed in phases as funding becomes available, with an emphasis on connecting the segments in the center of the urban area and working outwards, northerly and southerly towards the urban limits. **Figure 2, SR 99 Corridor Bikeway**.

The project will also incorporate, where appropriate, pedestrian and bicycle safety devices and features including: lighting, fencing, and controlled crossings such as in-surface (pavement) vehicle warning devices to alert drivers of mid-block bike path crossing as well as bike and pedestrian median refuges.

The proposed SR 99 Bike Path is intended to connect existing bicycle facilities and create safer conditions for cyclists, pedestrians, park users, children accessing school facilities, promote recreation and further develop and link bicycle facilities in the community. By connecting to existing bicycle paths, utilizing existing rights-of-way, and locating the bicycle path within areas already developed for recreational use, the project is designed to minimize the potential for environmental impacts. The proposed project is consistent with the Land Use, Transportation, and Parks, Public Facilities & Services Elements of the City's General Plan as well as the General Plan EIR and *Master Environmental Assessment*. The project is also consistent with the City's Chico Urban Area Bicycle Plan. It will be implemented in a manner that is consistent with the City's *Best Practices Technical Manual* and Municipal Code.

Federal Transportation Improvement Program

The proposed project is identified in the Butte County Association of Government's (BCAG) *2009 Federal Transportation Improvement Program* (FTIP) for Butte County. BCAG is an association of all the local governments within Butte County responsible for development of federal and state transportation plans and programs that secure transportation funding for the region's highways, transit, streets and roads, pedestrian and other transportation system improvements.

BCAG adopted the 2009 FTIP in July 2008, which includes 2009 amendments. The FTIP is a comprehensive listing of Butte County surface transportation projects that receive federal funds, or are subject to a federally required action, or are regionally significant. The FTIP includes a financial plan that demonstrates that programmed projects can be implemented. In addition, all projects included in the FTIP must be consistent with the Regional Transportation Plan (RTP) for Butte County. Refer to **Attachment A**.

Phase 1 of the project is eligible for and programmed in the FTIP for funding by the new American Recovery and Reinvestment Act (ARRA) Statewide Transportation Enhancement (State TE) funds. ARRA funding is part of the economic stimulus package enacted by Congress in February 2009 and is

intended to provide a stimulus to the U.S. economy. State TE funding activities are a means to more creatively and sensitively integrate surface transportation facilities into the surrounding community.

Funding for Phase 2 would be part of Congestion Mitigation and Air Quality (CMAQ); implementation of Phase 2 is also dependent upon additional funding as it becomes available. In 1991, Congress adopted the Intermodal Surface Transportation Efficiency Act (ISTEA), which authorized the CMAQ program. The CMAQ program provides funding for surface transportation and other related projects that contribute to air quality improvements and reduce congestion. The CMAQ program, jointly administered by the FHWA and the Federal Transit Administration (FTA), was reauthorized in 2005 under the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The SAFETEA-LU CMAQ program provides funds to transit agencies to invest in projects that reduce criteria air pollutants. Funding is available for areas that do not meet the National Ambient Air Quality Standards (nonattainment areas) as well as former nonattainment areas that are now in compliance (maintenance areas).

Existing Facilities

Existing facilities along the proposed bike path corridor include Class II bike lanes on Manzanita Avenue, Springfield Drive, Business Lane, Forest Avenue, and Notre Dame Boulevard. Existing Class I bike paths are intermittent along the corridor including facilities between Alba Avenue and Pillsbury Road, across Lindo Channel, through Bidwell Park between Vallombrosa Avenue and East 8th Street, along the SR 99 frontage from Tiechert Pond to Logan's Roadhouse restaurant, and the west and south sides of the Wal-Mart property extending to Forest Avenue. The remaining corridor roadways currently do not have bike facilities.

Phase I Facilities

Moving from the northern terminus of the project to the south, Phase 1 of the SR 99 Bike Path (proposed project) is located along the surface streets and existing drainage facilities adjacent to the SR99 corridor. Proposed Phase 1 facilities are described below. Refer to **Figure 2, SR 99 Corridor Bikeway** for Phase 1 (P1) photo references. Photos are provided in **Attachment B**.

- Class II/III bike lanes (1850 feet) on Silverbell Road (**P1-1**), extending from Eaton Road to the SUDAD channel;
- Class I bike path along the SUDAD ditch (**P1-2**) extending from Silverbell Road to the SUDAD channel and maintenance road adjacent to SR 99; install a crossing (i.e. a clear-span bridge or box culvert) at the SUDAD ditch to provide access to the Class I facility proposed along the SUDAD channel maintenance road;
- Class I bike path along the SUDAD channel maintenance road extending from the SUDAD ditch (**P1-3**) to East Lassen Avenue (3500 feet) (**P1-4**);
- Construct controlled crossing across East Lassen Avenue;
- Class I bike path along the SUDAD channel maintenance road from East Lassen Avenue (P1-5) to Panama Avenue (1400 feet) (**P1-6**) and converting 1200 feet of the drainage ditch to 36-inch storm drain pipe to allow for the full bike path right-of-way width;

- Class II bike lanes on Panama Avenue (**P1-7**) and Tom Polk Avenue (**P1-8**) to East Avenue, looping west to SR 99 and east to a signalized intersection at El Paso Way (1200 feet) (**P1-9**);
- Class II bike lanes extending south of East Avenue on Tom Polk Avenue (**P1-10**), White Avenue and Alba Avenue (800 feet) (**P1-11**) and connecting to the existing Class I bike path (**P1-12**);
- Class II bike lanes on Pillsbury Road (**P1-13, P1-14**) to Cohasset Road (1500 feet) and Class II/ III lanes from Manazanita Avenue (**P1-15**) to the existing facilities at Lindo Channel (1500 feet) (**P1-16, P1-17, P1-18**);
- From existing facilities[1] across Lindo Channel (**P1-19**), a Class II bike lane on East Lindo Avenue (1450 feet);
- Class II/III bike lanes on Neal Dow Avenue (3600 feet) (**P1-20, P-21**);
- Class III bike lanes on Hill View Way, Downing Avenue and Sierra Vista Way (2100 feet) (**P1-22**) and a Class II bike lane on Rey Way (**P1-23**) to Vallombrosa Avenue (1200 feet) (**P1-24**);
- On the west side of SR 99, from the existing facilities at Lindo Channel (**P1-25**), Class II/III bike lanes on Sheridan Avenue (**P1-26, P1-27, P1-28**) to the existing Bidwell Park entrance at Vallombrosa Avenue (6000 feet) (**P1-29**);
- A controlled crossing will be installed at the Sheridan and 1st Street intersection.
- South of Bidwell Park, from the existing access at Fir Street (**P1-30**), Class II bike lanes on Fir Street (**P1-31**) to existing facilities at Little Chico Creek (1200 feet) (**P1-32**);
- South of Little Chico Creek, a Class I bike path along the frontage of SR 99 adjacent to Teichert Ponds (1400 feet) (**P1-33 and P1-34**) and along the southerly property line on the Kohl's parcel extending to Springfield Drive (900 feet) (**P1-35**);
- Class II bike lanes on portions of Forest Avenue at Talbert Drive (500 feet) and in front of Lowes (500 feet);
- Class II bike lanes on portions of Notre Dame Boulevard fronting the Raley's Shopping Center (800 feet) (**P1-36**) and extending south through the Morrow Lane intersection, in front of Payless Building Supply (**P1-37**) and terminating on the north side of the Neighborhood Church property (2200 feet) (**P1-38**).

Phase 2 Facilities

Phase 2 of the proposed project is located similarly along City surface streets. However, portions of the proposed corridor may require the designation of easements and/or right-of-way acquisition and are dependent upon securing future funding. Proposed Phase 2 facilities are described below. Refer to **Figure 2, SR 99 Corridor Bikeway** for Phase 2 (P2) photo references. Photos are provided in **Attachment C**.

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[1] The existing low water crossing is located at SR99 and Sheridan Avenue. The existing bridge providing high water crossing is further east, at Downing Avenue.

- Class I bike path on the SUDAD channel (**P2-1**) from Eaton Avenue to the SUDAD ditch (1900 feet);
- Class II bike lanes extending from Panama Avenue on Emilio Way (500 feet) (**P2-2**);
- Class I bike path from the terminus of Emilio Way (**P2-3**) across East Avenue to White Avenue (1100 feet) (**P2-4**), right-of-way would be needed;
- Class II bike lanes on Palmetto Avenue, extending from Neal Dow Avenue to SR 99 (500 feet) (**P2-5**);
- Class I bike path from Palmetto Avenue to Sierra Vista Way (700 feet) adjacent to the Cal Water facility, right-of-way would be needed (**P2-6**);
- Installation of a clear-span bicycle/pedestrian bridge across Little Chico Creek north of Teichert Pond (discussed in more detail below);
- Class I bike path along the SR 99 northbound onramp at East 20th Street (800 feet) (**P2-7, P2-8**), right-of-way would be needed;
- Class II bike lanes extending across East 20th Street to Business Lane (900 feet);
- Class I bike path along SR 99 frontage extending from the southwest property boundary at Wal-Mart to Notre Dame Boulevard (3900 feet) (**P2-9**), right-of-way would be needed;
- Class I bike path (400 feet) and Class II bike lanes (500 feet) on Talbert Drive north of Wittmeier Auto (**P2-10**), right-of-way would be needed;
- Class II bike lanes extending from Forest Avenue between the Butte College Chico Center and Lowes (600 feet) (**P2-11**);
- Class I bike lane fronting SR 99 at the Neighborhood Church property (**P2-12**) extending to the Southgate Avenue/SR 99 intersection (2800 feet) (**P2-13**), right-of-way would be needed.

Little Chico Creek Bridge

Phase 2 of the proposed project includes the installation of a clear-span bicycle/pedestrian bridge across Little Chico Creek north of Teichert Pond. Improvements would be placed outside the ordinary high water mark. The proposed bicycle path would connect to the Class I bike path proposed as part of Phase I as well as the existing bike path undercrossing on the north side of Little Chico Creek. The clear-span bridge would be approximately 130 linear feet across and would be similar in appearance to other City bicycle/pedestrian bridges, such as the one crossing Big Chico Creek in Lower Bidwell Park near Manzanita Avenue (**P2-14**).

Bicycle Facility Definitions

The proposed bicycle path would be constructed according to Caltrans standards, where applicable. The Class I bicycle path would have a minimum right-of-way of 12-feet (8 feet paved and 2 feet of graded shoulder on each side). The proposed path would provide connectivity between the northern city limits to the south end. In turn, the construction of this bicycle path would provide connectivity for to bicycle facilities extending east from Highway 99 along Humboldt Road and traveling to Forest Avenue and Bruce Road. Portions of the proposed bicycle path would provide facilities separate from existing roads for non-motorized use

exclusively, Class I Bike Paths, as well as Class II Bike Lanes and/or Class III Bike Routes, where appropriate. The City of Chico generally uses Caltrans' design standards, as described in Chapter 1000 of the Caltrans Highway Design Manual, dated September 2006. There are cases, however, where the City of Chico design standards may exceed those used by Caltrans.

- **Class I Bike Path.** Provides a completely separated facility designed for the exclusive use of bicycles and pedestrians with minimal cross flows by motorists. Caltrans standards call for Class I bikeways to have a minimum of 8 feet of pavement with 2-foot graded shoulders on either side, for a total right-of-way of 12 feet. These bikeways must also be at least 5 feet from the edge of a paved roadway.
- **Class II Bike Lane.** Provides a restricted right-of-way designated for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and cross flows by pedestrians and motorists permitted. Caltrans standards generally require a 4-foot bike lane from face of curb or edge of roadway with a 6-inch white stripe separating the roadway from the bike lane.
- **Class III Bike Route.** Provides a right-of-way designated by signs or permanent markings and shared with pedestrians and motorists. Roadways designated as Class III bike routes should have sufficient width to accommodate motorists, bicyclists, and pedestrians. Other than a street sign, there are no special markings required for a Class III bike route.

Refer to **Attachment D** for typical bicycle facility cross sections.

I. City Standards and Conditions of Approval

The City shall ensure the project adheres to relevant conditions of approval required by City regulations, Standard Mitigation and Monitoring Programs identified in the City's *Best Practices Technical Manual* and the project-specific mitigation measures, as set forth in this document.

Plans, specifications and/or construction contracts for the proposed project shall be consistent with relevant City regulations and standard conditions of approval. The following standards, regulations and conditions of approval are likely to apply to the proposed bicycle path:

1) Chico Municipal Code

A. Title 12: Parks and Playgrounds. This section includes provisions for properties designated as city parks and playgrounds including greenways adjoining Little Chico Creek.
B. Title 16: Buildings and Construction. This section includes Building, Grading, Floodplain and Tree Preservation Regulations.
C. Title 16R: Building Standards. This section adopts the standards of the Uniform Building Code (UBC) and the California Building Code (CBC). Projects must implement appropriate BMPs that shall "safeguard ... life, health, property, safety ... and environment."
D. Title 19: Land Use and Development.

2) Best Practices Technical Manual

A. Implementation Guide for Project Review:

- Requires compliance with Chico Municipal Code Chapter 1.4 (Environmental Review Guidelines)

B. Standard Mitigation and Monitoring Program for Air Quality:
- Requires incorporation of pertinent BMPs during construction activities.

C. Standard Mitigation and Monitoring Program for Raptor Habitat:
- Requires compliance with the federal Migratory Bird Treaty Act and state Fish and Game code protecting raptors.

D. Standard Mitigation and Monitoring Program for Creekside Greenways:
- Requires relevant management practices for projects proposed near creekside greenways identified in General Plan.

E. Standard Mitigation and Monitoring Program for Oaks and Other Trees:
- Regulations for potential impacts to City-owned trees, specifications for tree work and tree protection specifications.

F. Standard Mitigation and Monitoring Program for Wetlands:
- Standard includes adherence to all federal, state and regional requirements prior to project approval.

G. Standard Mitigation and Monitoring Program for Cultural Resources:
- Sets forth requirements for the protection of general, archaeological and historic cultural resources within the City.

H. Standard Mitigation and Monitoring Program for Stormwater Management:
- CASWP and NPDES from Regional Board (if applicable).
- Standard Conditions: No net increase of volume/rate of runoff, long-term funding for all stormwater facilities and appropriate BMPs to intercept "first flush" contaminants from initial ½-inch of each rainfall event.
- Municipal Code 16R.22: Grading plans and contracts shall include appropriate measures, including sediment control, BMPs, setbacks, runoff control, revegetation, slope stabilization, protection of watercourses and/or disposal of cleared material and fill.

3) Storm Water Management Program

In compliance with state and federal water quality regulations, the City has developed a Storm Water Management Program (SWAP). The SWAP was developed in compliance with the Phase II NPDES permitting regulations established by the EPA in 1999. The SWAP consists of six elements: Public Education/Outreach, Public Participation/Involvement, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post-Construction Stormwater Management and Pollution Prevention/Good Housekeeping (Municipal Operations). The proposed project shall adhere to relevant and practicable standards and regulations identified in the SWAP, including implementation of BMPs and development of a SWPPP.

4) BMPs (Best Management Practices)

Implemented, where practicable and relevant, include (but are not limited to):

- Staging Areas: These areas will be located away from sensitive biological resources, habitat, water features, et cetera.

- Watering Construction Sites: To control fugitive dust emissions (which, otherwise, could impact air quality and biological resources).
- Fenced/Cordoned-Off Areas of Biological Sensitivity: To ensure avoidance of intrusion in these areas.
- Employee Education: To illuminate the importance of biological resources within the project area, appropriate avoidance measures and potential penalties for generating impacts to special-status biological resources.
- Erosion, Siltation and/or Stormwater Measures: Shall ensure construction activity and long-term water quality protection.

J. Public Agency Approvals:

1) California Department of Transportation (Caltrans)
Responsible Agency: Per the SAFETEA-LU, Section 6004 – State Assumption of Responsibility for Categorical Exclusions and a Memorandum of Understanding (MOU) between the Federal Highway Administration (FHWA) and Caltrans, the USDOT Secretary, acting by and through the FHWA assigns certain responsibilities to state agencies. Portions of the proposed project are being funded by federal funds, including ARRA and CMAQ. Therefore, this project is subject to NEPA requirements. Caltrans is serving as the District Local Assistance Engineer and is processing a Categorical Exclusion in compliance with the National Environmental Policy Act (NEPA).

2) US Army Corps of Engineers (ACOE)
Responsible Agency: If the proposed project results in the dredging or filling of waters of the US, then a Clean Water Act Section 404 Nationwide Permit (NWP) may be required. There are two locations that may require a NWP. These include the proposed crossing at the SUDAD ditch (Phase 1) and the proposed clear-span bridge at Little Chico Creek (Phase 2).

3) US Fish and Wildlife Service (USFWS)
Responsible Agency: As part of Phase 2, the installation of the clear-span bridge across Little Chico Creek may require concurrence from USFWS that the proposed project's construction activities would not result in impacts to the valley elderberry longhorn beetle.

4) Regional Water Quality Control Board (RWQCB)
Responsible Agency: If the project requires a NWP, then it will also be subject to the Clean Water Act Section 401 Water Quality Certification process.

5) California Department of Fish and Game (DFG)
Trustee Agency: DFG serves as a trustee agency to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department. DFG is consulted by the CEQA lead agency when a project involves resources under the Department's jurisdiction.

Responsible Agency: As part of Phase 2, the proposed clear-span bridge across Little Chico Creek, would require acquisition of a Streambed Alteration Agreement or a waiver thereof (per Section §1600 of the

California Fish and Game Code). Additionally, the project would require DFG consultation due to the presence of listed species per the California Endangered Species Act (CESA).

5) NOAA National Marine Fisheries Service (NMFS)
Responsible Agency: In the event that project construction or implementation activities would result in impacts to Critical Habitat and Essential Fish Habitat, the project would require a consistency determination/technical assistance Section 7 consultation and Section 9 of the Endangered Species Act.

K. Applicant: City of Chico, Capital Project Services Department
411 Main Street, Chico, CA.

L. Initiated By: City of Chico, Capital Project Services Department
411 Main Street, Chico, CA

Contact: Tracy R. Bettencourt, Senior Planner, Capital Project Services Department

Prepared By: Gallaway Consulting (Consultant)
Kamie Loeser, Senior Planner and Jim McKay, Planner

Easterly Bridge

Figure 1: Location Map

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Figure 2: SR99 Corridor Bikeway (Six – 11X17 Sheets)

Insert Photo Pages

Easterly Bridge

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2. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Hazards/Hazardous Materials	☐ Population/Housing
☐ Air Quality	☐ Hydrology/Water Quality	☐ Public Services
☒ Biological Resources	☐ Land Use and Planning	☐ Transportation/Circulation
☒ Cultural Resources	☐ Noise	☐ Utilities
☐ Geology/Soils	☐ Open Space/Recreation	

3. Planning Director Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a potentially significant impact or have a potentially significant impact unless mitigated, but at least one effect has been adequately analyzed in an earlier document pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION including revisions or mitigation measures that are imposed upon the proposed project. No further study is required.

_____ _____

Signature Date

_____ For Mark Wolfe, Interim Planning Director

Printed Name

4. Evaluation of Environmental Impacts

- Responses to the following questions and related discussion indicate if the proposed project will have or potentially have a significant adverse impact on the environment.

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question. A "No Impact' answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis.

- All answers must take account of the whole action involved , including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operation impacts.

- Once it has been determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there is at least one "Potentially Significant Impact" entry when the determination is made an EIR is required.

- Negative Declaration: "Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The initial study will describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 4, "Earlier Analysis," may be cross-referenced).

- Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 155063(c)(3)(D)]. Earlier analyses are discussed in Section 4 at the end of the checklist.

- Initial studies may incorporate references to information sources for potential impacts (e.g. the general plan or zoning ordinances, etc.). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list attached, and other sources used or individuals contacted are cited in the discussion.

- The explanation of each issue should identify:
  a) The significance criteria or threshold, if any, used to evaluate each question: and
  b) The mitigation measure identified, if any, to reduce the impact to less than significant.

A. Aesthetics Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista, including scenic roadways as defined in the General Plan, or a Federal Wild and Scenic River (Big Chico Creek)?			**X**	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			**X**	
3. Affect lands preserved under a scenic easement or contract?			**X**	
4. Substantially degrade the existing visual character or quality of the site and its surroundings including the scenic quality of the foothills as addressed in the General Plan?			**X**	
5. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			**X**	

DISCUSSION:
There are no designated scenic highways or wild and scenic rivers in the project area.

As the proposed project is a series of bicycle and pedestrian facilities, it would not introduce substantial light-generating infrastructure to the area. If necessary, the proposed facilities would incorporate lighting to ensure visitor safety and compliance with applicable design standards. As the lighting would be limited in its extent and installed per the city's lighting standards, "spillover" to adjacent parcels would not be expected. Similarly, the proposed project would not incorporate highly reflective materials or vertical facilities that could generate substantial glare.

A Phase II bridge crossing at Little Chico Creek would be constructed according to City standards identified in Titles 12, 16 and 19 of the Municipal Code and the relevant Community Design goals of the General Plan. The proposed facilities would connect to existing bikeways and creek crossings at Big Chico Creek/Bidwell Park and Lindo Channel.

A.1 – A.5: The Phase II bridge crossing would reflect other creek crossings in the City's parks. The proposed project could require the removal of trees or vegetation to ensure proper function of the facilities. For example, trimming may be necessary to provide construction access and to maintain adequate vertical clearance for the bikeways. The project would be required to adhere to the City's replanting requirements, and where applicable, to mitigate potential impacts to trees within the project corridor. Any potential impacts to riparian vegetation would also be required to adhere to DFG mitigation planting requirements per §1600 of the Fish and Game Code (refer to Section C, Biological Resources, of this document for further discussion).

The facilities would be designed pursuant to City standards identified in Chapter 19 of the Municipal Code (Land Use and Development). Adherence to City lighting standards identified in 19.60.050 and 19.66 of the Municipal Code ensures less than significant potential effects generated by light-emitting facilities.

The bridge would be constructed according to City standards identified in Titles 12, 16 and 19 of the Municipal Code and the relevant Community Design goals of the General Plan.

As the proposed project is a bicycle path, it would not introduce substantial light-generating facilities to the area. In addition, the facilities would be designed pursuant to City standards

identified in Chapter 19 of the Municipal Code (Land Use and Development). Adherence to City lighting standards identified in 19.60.050 and 19.66 of the Municipal Code ensures less than significant potential effects generated by new sources of light.

The proposed project would not incorporate highly reflective materials or vertical facilities that could generate substantial glare.

As such, potential aesthetic impacts resulting from the proposed project would occur at levels considered **less than significant**.

MITIGATION: None required.

B. Air Quality Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Conflict with or obstruct implementation of the applicable air quality plans (e.g. Northern Sacramento Valley Air Basin 1994 Air Quality Attainment Plan, Chico Urban Area CO Attainment Plan, and Butte County Air Quality Management District Indirect Source Review Guidelines)?			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
4. Expose sensitive receptors to substantial pollutant concentrations?			X	
5. Create objectionable odors affecting a substantial number of people?			X	

DISCUSSION:
The Butte County Air Quality Management District (BCAQMD) identifies Butte County as a non-attainment area for three criteria pollutants: ozone (O_3), particulate matter less than 10 microns (PM10) and particulate matter less than 2.5 microns (PM2.5). The attainment designations are based on state and/or federal standards. Ozone is not directly emitted by sources. Rather, it is the product of reactive organic compounds (ROG), nitrogen oxides (NO_X) and atmospheric conditions. Therefore, ROG and NO_X, which are most commonly generated by motor vehicle emissions, are considered O_3 precursors.

Table 1: Air Quality Attainment Status

Criteria Pollutant	**Federal Status**	**State Status**
PM_{10}	Unclassified	*Non-Attainment*
$PM_{2.5}$	Unclassified	*Non-Attainment*
O_3	*Non-Attainment*	*Non-Attainment*

The BCAQMD established action-level thresholds, labeled A, B and C, to assist in evaluating the amount of mitigation a project must implement to successfully reduce potential air quality impacts from indirect sources (*CEQA Air Quality Handbook*, Guidelines for Assessing Air Quality Impacts for

Projects Subject to CEQA Review, January, 2008). According to the BCAQMD Indirect Source Review Guidelines (ISRG), all projects with the potential to increase vehicular activity should implement all appropriate standard mitigation measures (SMM). The BCAQMD has also implemented New Source Review regulations. These review procedures are applicable to stationary sources that are likely to exceed emission thresholds for criteria pollutants. As the project proposes the construction of bikeway facilities, there would be no long-term criteria pollutant emissions anticipated.

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Significant changes in global climate patterns have recently been associated with global warming attributed to accumulation of greenhouse gas (GHG) emissions in the atmosphere. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated with global warming (OPR, 2008). The most common GHG generated by human activities is carbon dioxide, followed by methane and nitrous oxide (OPR, 2008).

The City of Chico is in the process of updating its General Plan which will identify policies and criteria that will work toward reducing GHG emissions. Until the adoption of thresholds and significance criteria for GHG emissions and Global Climate Change, the City will continue to implement the AQMD *CEQA Air Quality Handbook* and SMM as well as City General Plan Implementing Policies and Standard Mitigation and Monitoring Programs applicable to proposed projects.

The emissions of criteria pollutants generated by the proposed project would primarily occur during construction activities. As the project will further increase connectivity of the City's bicycle facilty network, long-term emissions of criteria pollutants and GHG would not be expected due to the nature of the proposed project.

B.1 – B.5: The proposed project would not create a source of new vehicle traffic, such as a new housing developments or commercial uses. Thus, there would be no vehicle trips added to the local roadways and no long-term air quality impacts (ozone precursors, PM_{10}, GHGs).

The proposed project is expected to improve pedestrian and cycling conditions in the project area. These improved conditions would provide improved access to the city's parks, schools and bicycle network. Increased bicycle and pedestrian commutes within the project area would be expected to reduce the generation of criteria pollutants over pre-project conditions.

Construction-related activities can create temporary increases in fugitive dust and exhaust emissions. Per General Plan Implementing Policy OS-I-8, the City requires the inclusion of dust suppression measures in all grading plans. Furthermore, the Chico General Plan EIR, in accordance with applicable regulations, sets forth mitigation measures that are intended to reduce fugitive dust generated by construction activities. Approval from the Building and Development Services Department is further contingent on adherence to any other appropriate guidelines at the local, state and federal levels, including the CBC as adopted by the Chico Municipal Code.

Construction-related activities may also result in short-term GHG emissions, particularly CO_2 emissions, from the combustion of fuel during construction. However, General Plan Implementing Policy OS-I-9 identifies measures intended to reduce construction-related exhaust emissions.

The proposed project would result in short-term pollutant emissions during construction activities. Due to the limited amount of ground disturbance along the bike corridor, and because the majority of the proposed bike facilities would occur along existing roadways, maintenance access roads and pedestrian paths, the amount of grading necessary would be minimal. The City General Plan

contains implementing policies that encourage the inclusion of dust suppression measures (OS-I-8) and appropriate measures intended to reduce construction-related exhaust emissions (OS-I-9). Grading policies are enforced through the City Municipal Code Grading Ordinance (MC 16.22), which was adopted "to safeguard life, property and the environment from the hazards and effects of grading work performed within the city." The City's *Best Practices Technical Manual* identifies the Standard Mitigation and Monitoring Program for projects that may generate air quality impacts through construction-related exhaust emissions. Construction of the proposed bicycle facilities could result in contributions of PM10 and ozone levels in a non-attainment area. To ensure adequate reduction of potential air quality impacts resulting from construction activities, the City has implemented a standard mitigation and monitoring program for all applicable projects:

To minimize fugitive dust and exhaust emissions during construction activities, the following shall be included in all construction plans and documents for the project:

a. *Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil conditions, and wind exposure.*
b. *If necessary, apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days) to control dust emissions. Dust emissions should be controlled at the site for both active and inactive construction areas throughout the entire construction period (including holidays).*
c. *Limit vehicle speeds to 15 mph on unpaved roads.*
d. *Suspend land clearing, grading, earth moving, or excavation activities when wind speeds exceed 20 mph.*
e. *If applicable, apply non-toxic binders (e.g. latex acrylic copolymer) to exposed areas after cut and fill operation and hydroseed the area.*
f. *Cover inactive storage piles.*
g. *Project applicant shall consult with the Butte County Quality Management District about the application of a paved (or dust palliative treated) apron onto the project site.*
h. *Sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities.*
i. *Post a publicly visible sign at the construction site with the name and telephone number of the person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD rules 201 and 207 (Nuisance and Fugitive Dust Emissions).*
j. *Prior to final occupancy/use, the applicant shall demonstrate that all ground surfaces are treated sufficiently to minimize fugitive dust emissions. Fugitive dust emissions are considered dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces.*
k. *Exhaust emissions shall be minimized by maintaining equipment in good repair and proper tune according to the manufacturer's specifications.*
l. *If construction activities occur during smog season (May-October), equipment will not be allowed to idle for long periods of time.*

The standard conditions listed above will be specified in applicable project plans and construction contract requirements. The Building and Development Services Department regularly conducts inspections to verify compliance.

The long-term operation of a bike path would serve to reduce vehicle-related air emissions through increased use of alternative transportation. In addition, an individual project does not generate sufficient emissions of GHGs to result in a significant impact in the context of the cumulative effects of GHG emissions and global climate change. GHG emissions reductions will be the product of a series of interrelated reduction programs. The projected increase in bicycle and

pedestrian circulation and decrease in motor vehicle traffic generated by the proposed project would further GHG emissions reduction goals.

Children, elderly people, and acutely or chronically ill people are affected more intensely by elevated concentrations of air pollutants. As a result, these populations are considered "sensitive receptors." Construction activities would result in brief periods of elevated pollutant concentrations in the proximity of recreational facilities, residences and area schools. Implementation of Mitigation Measure B.1 pertaining to fugitive dust and exhaust emissions during construction activities would minimize the exposure of sensitive receptors to pollutant concentrations to the maximum extent practicable.

The project is not expected to create significant odors beyond the short-term odors associated with normal construction, paving and striping activities.

Therefore, relative to air quality, the proposed project would result in potential impacts that are considered **less than significant**.

MITIGATION: None required.

C. Biological Resources Will the project or its related activities result in:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species as listed and mapped in the MEA or in other local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the MEA or in other local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.				X
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
5. Result in the fragmentation of an existing wildlife habitat, such as blue oak woodland or riparian, and an increase in the amount of edge with adjacent habitats.				X
6. Conflict with any local policies or ordinances, protecting biological resources?				X

DISCUSSION:
Great valley mixed riparian habitat occurs on-site around the Teichert Pond's and Little Chico

Creek area. The majority of on-site vegetation consists of native and non-native upland grasses with an overstory of valley oak, Western sycamore, Fremont cottonwood and various ornamental and fruiting trees.

As the proposed facilities would be constructed in the vicinity of Little Chico Creek, Big Chico Creek, Lindo Channel and Comanche Creek, a Natural Environmental Study (NES) was prepared for the proposed project. The NES was prepared by Gallaway Consulting in September 2009.

During preparation of the NES, several data sources were consulted to identify special-status biological resources occurring or potentially occurring within the project area. Data sources included the Chico General Plan, General Plan MEA, General Plan EIR and Best Practices Technical Manual, the California Natural Diversity Database (CNDDB), USFWS Species Lists and California Native Plant Society (CNPS) lists. A list of recorded occurrences of special-status species was compiled from the CNDDB data. Biological field surveys were conducted by Gallaway staff to evaluate the project site's physical characteristics. Each potentially occurring special-status species identified during preliminary consultation was then evaluated for its potential to occur within the project site. The following biological resources are identified as occurring, or having at least a moderate potential to occur, within the project site:

Table 2: Potentially Occurring Biological Resources

Resource	Status	Potential
Sensitive Natural Communities		
Great Valley/Oak Riparian Forest		Known to occurs along drainage corridors
Invertebrates		
Valley Elderberry Longhorn Beetle	FT	Known to occur along riparian corridors
Fish		
CV Spring-Run Chinook Salmon	FT/ST	Known: Designated critical habitat
CV Steelhead	FT/ST	Known: Designated critical habitat
Amphibians		
Northwestern Pond Turtle	CSC	Known to occur
Reptiles		
Giant Garter Snake	FT/ST	
Birds		
Western Burrowing Owl	CSC	Low: Heavily developed & lack of open fields
Raptors/Migratory Birds	Varies	High: Suitable foraging/nesting habitat
***Notes:* FT=Federally Threatened; ST=State Threatened; CSC=CA Species of Special Concern**		

In addition to the NES, Gallaway Consulting prepared a Draft Delineation of Waters of the United States in 2009 for the proposed project. Approximately 0.866 acres of pre-jurisdictional waters were delineated within the alignments of the proposed facilities. The pre-jurisdictional waters were delineated along the SUDAD drainage facilities, near the northern terminus of the project site, and Little Chico Creek, in the central portion of the project site.

Relative to biological resources, the project is proposed in a regulatory context that includes local, state and federal jurisdictions. The following standards, guidelines and regulations are likely applicable to the proposed project as it pertains to special-status biological resources that may occur in the project area:

Local Regulations

Chico Municipal Code

- Title 16 (Buildings and Construction): Building, Grading, Floodplain and Tree Preservation Regulations.

- Title 16R (Building Standards): Adopts the standards of the Uniform Building Code (UBC) and California Building Code (CBC). Projects must implement appropriate BMPs that shall "safeguard...life, health, property, safety...and environment."

City of Chico Best Practices Technical Manual (BPTM)

- Implementation Guide for Project Review: Requires compliance with Chico Municipal Code Chapter 1.4 (Environmental Review Guidelines)

- Standard Mitigation and Monitoring Program for Air Quality: Requires incorporation of pertinent BMPs during construction activities.

- Standard Mitigation and Monitoring Program for Storm Drain Outfalls, Stream Crossings, or Other Intrusions into a Creek: Requires acquisition of appropriate permits/approvals from the United States Army Corps of Engineers, Regional Water Quality Control Board, and Department of Fish and Game.

- Standard Mitigation Measure Where Removal of Riparian Vegetation Occurs: Requires avoidance of vegetation impacts to the extent feasible and mitigation plantings for unavoidable losses.

- Standard Mitigation and Monitoring Program for Raptor Habitat: Requires compliance with the federal Migratory Bird Treaty Act and California Fish and Game Code for protecting raptors.

- Standard Mitigation and Monitoring Program for Creekside Greenways: Requires relevant BMPs for projects proposed near creekside greenways identified in General Plan.

- Standard Mitigation and Monitoring Program for Oaks and Other Trees: Regulations for potential impacts to City-owned trees, specifications for tree work and tree protection specifications.

- Municipal Code 16R.22: Grading plans and contracts shall include appropriate measures, including sediment control, BMPs, setbacks, runoff control, re-vegetation, slope stabilization, protection of watercourses, disposal of cleared material and fill.

- BMPs: Implemented where practicable and relevant include, but are not limited to:

    - Staging Areas: These areas will be located away from sensitive biological resources, habitat, water features, et cetera.

    - Watering Construction Sites: To control fugitive dust emissions (which, otherwise, could impact air quality and biological resources).

    - Fenced/Cordoned-Off Areas of Biological Sensitivity: To ensure avoidance of intrusion in these areas.

    - Employee Education: To illuminate the importance of biological resources within the project area, appropriate avoidance measures and potential penalties for generating impacts to special-status biological resources.

    - Erosion, Siltation and/or Stormwater Measures: Shall ensure construction activity and long-term water quality protection.

City of Chico General Plan

- General Plan Elements set forth guidelines and policies that inform development processes. The project would be required to obtain all necessary agency approvals and permits and implement appropriate BMPs and design standards, as set forth in the General Plan and identified throughout this study.

City of Chico Storm Water Management Program

In compliance with state and federal water quality regulations, the City has developed a Storm Water Management Program (SWAP). The SWAP was developed in compliance with the Phase II NPDES permitting regulations established by the EPA in 1999. The SWAP consists of six elements: Public Education/Outreach, Public Participation/Involvement, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post-Construction Stormwater Management and Pollution Prevention/Good Housekeeping (Municipal Operations). The proposed project shall adhere to relevant and practicable standards and regulations identified in the SWAP, including implementation of BMPs and development of a SWPPP.

Public Agency Approvals Potentially Required

California Department of Fish and Game (DFG)

- DFG is consulted by the CEQA lead agency when a project involves resources under the Department's jurisdiction
- The project would likely require acquisition of a Streambed Alteration Agreement or a waiver thereof (per §1600 et seq. of the Fish and Game Code)
- The project may require DFG consultation due to the potential presence of listed species per the California Endangered Species Act (CESA)

United States Army Corps of Engineers (USACE)

- If the proposed improvements would place fill within Waters of the US, a §404 Permit or appending to a Nationwide Permit would be required

Central Valley Regional Water Quality Control Board

- The project may require a Construction Activity Storm Water Permit (CASWP), with an approved Stormwater Pollution Prevention Plan (SWPPP), per Section §402 of the Clean Water Act
- The project would be required to obtain water quality certification, per §401 of the Clean Water Act, if a §404 Permit is required

United States Fish and Wildlife Services

- *Responsible Agency:* The project may require technical assistance or consultation with the USFWS due to the potential for federally listed species to occur within the action area.

NOAA National Marine Fisheries Service (NMFS)

- *Responsible Agency:* The project may require technical assistance or consultation with the NOAA due to the presence of designated critical habitat and the potential for federally listed anadromous fish to occur within several of the city's drainages.

The proposed facilities would connect to existing crossings at Lindo Channel and Big Chico Creek. The existing crossing at Lindo Channel is a dry season bike path immediately east of SR99. The Big Chico Creek crossing is an existing bridge, which spans the creek just west of SR99. The proposed bikeway facilities would tie in to the existing Class I paths extending northward and southward from these two crossings. Therefore, no impacts to Lindo Channel or Big Chico Creek are anticipated.

The central portion of the proposed bicycle path corridor is located within the riparian corridor of Little Chico Creek. The proposed Phase 2 improvements include a clear-span bike path over Little Chico Creek immediately east of SR99. This area is identified as a Great Valley Mixed Riparian Forest, which is a Sensitive Natural Community per California Department of Fish and Game (DFG) guidelines.

Central Valley spring-run Chinook salmon and Central Valley steelhead are found throughout the Sacramento River and its tributaries. NOAA Fisheries spatial distribution data show spring-run Chinook salmon within Mud Creek, Lindo Channel, Big Chico Creek and Butte Creek. Accordingly, these streams are within designated Critical Habitat for this species. In addition to the above-listed streams, Little Chico Creek is identified by NOAA Fisheries as suitable habitat for the Central Valley steelhead. Furthermore, the segment of Little Chico Creek within the project site is within designated Critical Habitat for Central Valley steelhead.

No impacts to Central Valley spring-run Chinook salmon are anticipated because the proposed project would not create intrusions into Lindo Channel or Big Chico Creek. The proposed Phase 2 crossing at Little Chico Creek would be a clear-span structure. No intrusions into the creek or potential steelhead habitat are expected.

The valley elderberry longhorn beetle (VELB) is a federally threatened species. The beetle is commonly found near riparian habitats within the Central Valley. However, this species' range spans the Sierra foothills, and may reach elevations of 2,200 feet. VELB uses elderberry shrubs solely to incubate its larvae. For this reason, elderberry shrubs are considered habitat for this species.

Little Chico Creek is considered a jurisdictional Water of the United States. The term Waters of the United States is an encompassing term that includes "wetlands" and "other waters." Wetlands have been defined for regulatory purposes as follows: *Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Other waters of the United States are seasonal or perennial water bodies, including lakes, stream channels, drainages, ponds, and other surface water features, that exhibit an ordinary high-water mark but lack positive indicators for one or more of the three wetland parameters (i.e. hydrophytic vegetation, hydric soil, and wetland hydrology)* (33 CFR 328.4).

C.1 – C.6:

Special-Status Species: Valley Elderberry Longhorn Beetle

One elderberry shrub exists along the eastern edge of SR 99 near the intersection of Emilio Way and Panama Avenue. The second elderberry tree is located within the SR 99 right-of-way immediately across from the California Highway Patrol office on Humboldt Road. Located in an upland area bordered by SR 99 and a highly developed residential area, these trees lack the proximity of riparian habitat and connectivity to other elderberry shrubs that support VELB. Currently, the elderberry trees are surrounded by private and commercial residences, and are supported by runoff water from SR 99 and neighboring residences. They also have no physical barrier from herbicides and/or pesticides. The proposed Project will not result in any ground disturbing activities near the trees as Class II/III bike path will merely be demarcated on the existing pavement. Due to the isolated nature and the proposed avoidance of the elderberry shrubs, no impacts to VELB are anticipated.

Special-Status Species: Central Valley Spring-run Chinook Salmon

Portions of Big Chico Creek and Lindo Channel are designated as Critical Habitat by NOAA Fisheries for this species. The proposed facilities would connect to existing crossings at these two drainages. Thus, no impacts to this species or designated critical habitat are anticipated.

Riparian

The portion of the proposed project that is located within the vicinity of Little Chico Creek is in a riparian setting that is designated by the DFG as a sensitive natural community and as a Resource Management Area in the MEA. The proposed project, through avoidance of impacts to sensitive natural resources would remain consistent with General Plan Open Space and Environmental

Conservation goals OS-G-6 and OS-G-7, which promote protection of sensitive natural resources. Facilities proposed in the area of riparian vegetation include an asphalt pathway and a clear-span pedestrian/bicycle crossing of Little Chico Creek. The project would construct facilities within the riparian corridor adjacent to Little Chico Creek. Trees and/or vegetation within this riparian setting may be impacted during construction of the proposed Phase 2 facilities. Therefore, the following mitigation measure shall be implemented:

MITIGATION MEASURE C.1 (Biological Resources): Prior to the issuance of a notice to proceed to construction contractors, the DFG shall be consulted pursuant to §1600 et seq. of the California Fish and Game Code for any activities affecting bed, bank or associated riparian vegetation of the stream. If required, the project applicant shall enter into a Streambed Alteration Agreement, coordinate with DFG in developing appropriate mitigation and abide by the conditions of any executed permits.

MITIGATION MONITORING C.1 (Biological Resources): Prior to the commencement of construction activities, city staff will coordinate with the DFG and the consulting biologist to ensure the timely initiation of the above mitigation measure.

Through adherence to Mitigation Measure C.1, the City's Best Practices Technical Manual Standard Mitigation Measure Where Removal of Riparian Vegetation Occurs and all mitigation measures identified in this study, the project would generate potential riparian impacts that are **less than significant with mitigation incorporated.**

Special-Status Species: Central Valley Steelhead
Central Valley steelhead, which is listed at the state and federal levels, is known to occur in several of the city's creek corridors. Portions of Big Chico Creek, Lindo Channel and Little Chico Creek are designated as Critical Habitat by NOAA Fisheries for this species. Similarly, portions of these corridors are identified as Essential Fish Habitat by NOAA Fisheries.

The proposed facilities would connect to existing crossings at Big Chico Creek and Lindo Channel. Phase 2 of the proposed project would construct a clear-span crossing at Little Chico Creek. Based on the current project design, no improvements are expected within potential habitat for this species. If the proposed Little Chico Creek crossing would intrude into potential steelhead habitat, the proposed project would trigger consultation requirements of the ESA. This would coincide with the placement of fill within Waters of the US and the §404 permitting requirements of the USACE. The §7 consultation requirements of the ESA would be initiated by the USACE under these circumstances.

The proposed project is expected to avoid potential impacts to federally listed steelhead and its designated critical habitat. If complete avoidance of impacts is not implemented by the finalized improvement plans, the performance standards of NOAA fisheries would ensure adequate mitigation for potential impacts to this species. This would be ensured through implementation of Mitigation Measure C.2, as identified in this section.

Jurisdictional Waters
The proposed project would construct a clear-span pedestrian/bicycle bridge over Little Chico Creek. The bridge is designed, and will be installed, in a manner that is consistent with Title 16 of the Chico Municipal Code and the UBC and CBC. Through adherence to Title 16 and the UBC/CBC, including implementation of relevant BMPs, the proposed clear-span bridge would avoid direct and indirect impacts to waters of the United States (waters of the US) and waters of the State. Furthermore, as identified in Mitigation Measure C.1, the proposed project would be required to adhere to the §1600 performance standards of the DFG. The proposed facilities near the northern terminus of the project site may require intrusions into the SUDAD ditch, a drainage feature

constructed and maintained by Butte County. As the proposed project would construct facilities in the vicinity of pre-jurisdictional waters, the following mitigation measure shall be implemented:

MITIGATION MEASURE C.2 (Biological Resources): Prior to the issuance of a notice to proceed to construction contractors, the applicant shall ensure compliance with the relevant guidelines of the Clean Water Act. Therefore, the project applicant shall:

- Submit the draft delineation to the USACE for verification
- Acquire all necessary permits and certifications per the Clean Water Act, including §404, §402 and §401
- If necessary, satisfy §7 consultation requirements of the USFWS and/or NOAA Fisheries

MITIGATION MONITORING C.2 (Biological Resources): Prior to the commencement of construction activities, city staff will coordinate with the USACE and RWQCB and the consulting biologist to ensure the timely initiation of the above mitigation measure.

The proposed project would be required to obtain approval from the USACE per the Clean Water Act. As such, the proposed improvements would require either the avoidance of all waters of the US or the acquisition of a §404 permit. All potential impacts to Waters of the US would require mitigation consistent with the USACE "no net loss" policy for both area and function. Therefore, potential impacts to Waters of the US would occur at lvels considered **less than significant with mitigation incorporated**.

Raptors and Migratory Birds
Raptors, such as hawks and owls, may nest in the large trees adjacent to the proposed bicycle facilities. The disturbance, removal or destruction of active raptor nests is considered a violation of the California Fish and Game Code Section 3503.5.

The Migratory Bird Treaty Act (MBTA) protects migratory birds, their occupied nests and eggs. The mature trees and riparian habitat in the project area provide nesting habitat for raptors and migratory birds.

Activities, including noise generated by construction equipment, associated with the development of the proposed facilities could negatively affect special-status birds. Therefore, the following mitigation is required:

MITIGATION MEASURE C.3 (Biological Resources): If construction is proposed during the nesting season (February 15th through September 15th), pre-construction survey(s) for raptors shall be conducted by a qualified biologist. The survey(s) shall be conducted within 15 days prior to the onset of construction. The pre-construction survey(s) shall determine if active nests are in the study area. If active nests are found, no construction activities shall take place within 500 feet of the nests until the young have fledged, to be determined by a qualified biologist.

If no active nests are found during the focused survey(s), no further mitigation will be required for nesting raptors or migratory birds.

If construction is proposed during the non-nesting season, no surveys are required.

MITIGATION MONITORING C.3 (Biological Resources): Prior to commencement of construction activities during all phases of the proposed project, city staff will coordinate with the consulting biologist to ensure the timely initiation of the above mitigation measure.

The incorporation of Mitigation Measure C.3 into the project development process would reduce the potential impacts to nesting raptors and migratory birds to levels that are considered **less than significant with mitigation incorporated.**

Implementation of MMC.1 would ensure less than significant potential impacts to riparian habitat and sensitive natural communities. Implementation of MMC.2 would ensure less than significant potential impacts to Waters of the US, water quality and species listed per the state and federal Endangered Species Acts. Implementation of MMC.3 would ensure less than significant potential impacts to special status raptors and migratory birds.

Therefore, relative to environmental factors C.1 through C.6, the proposed project would generate potential impacts considered **less than significant with mitigation incorporated.**

MITIGATION: MMC.1, MMC.2 and MMC.3

D. Cultural Resources Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Cause a substantial adverse change in the significance of an historical resource as defined in PRC Section 15064.5?			X	
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to PRC Section 15064.5?		X		
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			X	
4. Disturb any human remains, including those interred outside of formal cemeteries?			X	

DISCUSSION:
Chapters IV of the BPM and the BPTM address cultural resources, including archaeological, architectural and historic resources, in the Chico planning area. The level of review required for projects within the city's jurisdiction varies depending on project-specific conditions. The city has implemented standard mitigation and monitoring programs for newly-discovered cultural resources and/or human remains that could result from new ground disturbances.

Projects subject to CEQA review must conduct an evaluation of potential impacts to cultural resources commensurate with the project site's archaeological sensitivity. Policy OS-G-26 of the Chico General Plan provides a broad level of cultural resource protection with the statement "Protect archaeologic, historic, and paleontologic resources..." Implementing Policy OS-I-50 provides greater specificity with the following requirement: "Require a records search... in areas of high archaeological sensitivity."

Figure 7-3 of the General Plan identifies the areas of the city that are considered to have high archaeological sensitivity. The proposed improvements would traverse delineated areas high archaeological sensitivity, which are primarily along the city's drainages. The proposed improvements would connect to existing bikeways where they cross Lindo Channel, Big Chico Creek and Comanche Creek. Most of the proposed class I bike paths would be constructed along existing maintenance roads. Many of the proposed improvements would involve striping and signage along existing roadways. However, the proposed Phase II improvements would likely include a bridge crossing at Little Chico Creek, near Teichert Ponds and Humboldt Road. The proposed improvements in the vicinity of Teichert Ponds and Little Chico Creek would generate the primary disturbances within areas of high archaeological sensitivity. This portion of the project site was analyzed in the Initial Study for the Teichert Ponds Restoration Project (City of Chico, 2009). As part of the environmental review, Peak and Associates, Inc. conducted a record search

and archaeological survey of the Teichert Ponds project site in 2008. In addition to the most recent survey conducted by Peak and Associates, portions of the Teichert Ponds Restoration site have been previously surveyed on numerous occasions since the early 1960s.

Historic property inventories consulted during preparation of this study included the City of Chico *Historic Resources Inventory* (2009) and the state and federal Registers of Historical Resources.

As identified in the Peak and Associates summary report, significant or potentially significant cultural resources have been documented in the action area of the Teichert Ponds Restoration Project. The Initial Study prepared for that project incorporates a series of mitigation measures related to documented and currently unidentified cultural resources within the project site. A portion of the currently proposed bicycle facilities, namely the Phase II crossing at Little Chico Creek, would be constructed within the western portion of the Teichert Ponds Restoration Project site.

It should be noted that the existing record search, archaeological sensitivity maps and historic property database consultations have been utilized in this study in order to satisfy the requirements of the CEQA Guidelines. Per Memoranda of Understanding between the FHWA and Caltrans and the §404 Permit requirements of the USACE, the proposed project will likely be required to demonstrate compliance with the National Historic Preservation Act (NHPA). As a result, the proposed project is likely to require additional analyses and consultations in order to comply with any NHPA standards that are beyond those set forth in the CEQA Guidelines and the BPTM.

The BPTM includes the following standard mitigation and monitoring program for cultural resources as a condition of approval for applicable projects in the city's jurisdiction:

> *If, during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, all work shall cease with the area of the find pending an examination of the site and materials by a professional archaeologist. This person will assess the significance of the find and prepare appropriate mitigation measures for review by the Planning Director. All mitigation measures determined by the Planning Director to be appropriate for this project shall be implemented pursuant to the terms of the archaeologist's report.*
>
> *The above shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation. Should cultural resources be encountered, the supervising contractor shall be responsible for reporting any such findings to the Capital Project Services Division, and a qualified archaeologist will be contacted to conduct meetings with on-site employees and monitor the referenced mitigation measures.*

The standard program ensures adherence to applicable cultural resource regulations for all projects, including those that may result in the uncovering of previously unidentified resources.

Projects that inadvertently uncover cultural resources must adhere to the applicable standards of the National Historic Preservation Act, the Antiquities Act the Native American Graves Protection and Repatriation Act and other regulations pertaining to the preservation of cultural resources.

D.1 – D.4: The proposed bikeway alignments are predominantly located within areas that have been previously disturbed by land use improvements, such as the construction of Highway 99, area roadways and various bicycle paths. No significant cultural resources are known to occur within the construction footprint. However, the Teichert Ponds Initial Study identifies significant or potentially significant resources within that project's action area. Furthermore, unknown cultural

resources could be uncovered during grading and other ground disturbing activities throughout project site during both phases of the proposed improvements.

The proposed project would be subject to the following Standard Mitigation and Monitoring Program for Cultural Resources:

Standard Mitigation and Monitoring Program: Pursuant to the City of Chico's Standard Mitigation And Monitoring Program for cultural resources, as identified in Section IV.A and IV.B of the *Best Practices Technical Manual*, a note shall be placed on all construction plans which informs the construction contractor that if any potential archaeological, cultural or paleontological resources are encountered during construction, such as bones or pottery fragments, all work shall cease within the area of the find pending an examination of the site and materials by a professional archaeologist. The archaeologist will assess the significance of the find and prepare appropriate mitigation measures for review by Capital Project Services. All mitigation measures determined by Capital Project Services to be appropriate for this project shall be implemented pursuant to the terms of the archaeologist's report.

Standard Monitoring Program: City staff will verify that the above wording is included in project plans, construction contracts and documents. Should potential resources be encountered, the supervising inspector will be responsible for reporting any such findings to the Capital Project Services, and a qualified archaeologist will be contacted to conduct meetings with on-site employees and monitor the referenced mitigation measures.

Grading and construction activities could unearth previously unidentified human remains. To ensure that potentially significant impacts to newly discovered human remains are avoided, the following Standard Mitigation and Monitoring Program measure would apply:

Standard Mitigation and Monitoring Program: Pursuant to State Health and Safety Code section 7050.5, if human remains are unearthed during construction, the construction contractor must cease work within 100-feet of the discovery and notify the County Coroner. No further disturbance may occur until the Coroner, in consultation with the Native American Heritage Commission, has made the necessary findings as to the origins and disposition pursuant to Public Resource Code §5097.98 and 5097.99 and the Native American Graves Protection and Repatriation Act (NAGPRA). Compliance with the City's Standard Mitigation and Monitoring Program, which ensures compliance with state and federal laws and regulations, ensures potential impacts to newly discovered human remains would be less than significant.

Standard Monitoring Program: City staff will ensure that the above wording is incorporated into project plans and construction contracts and documents.

Upon finalization of the Phase II Little Chico Creek crossing location, any proposed ground disturbances can be evaluated relative to the documented cultural resources in the vicinity of Teichert Ponds. As described in the Biological Resources section of this study, the proposed project will require consultation with the USACE pursuant to the Clean Water Act. A §404 Permit will be required if the proposed facilities will require the placement of fill within Waters of the United States. Furthermore, the proposed project will be required to demonstrate compliance with all applicable Caltrans standard conditions of approval. The performance standards of the USACE and Caltrans, relative to cultural resources, would ensure compliance with §106 of the NHPA.

Phase I of the proposed project would not be expected to generate potential impacts to known cultural resources. The final alignments and site plans for Phase II may result in the placement of improvements near documented cultural resources. Implementation of the Standard Mitigation and Monitoring Programs, as set forth in the *Best Practices Technical Manual* and identified in this Initial Study, would ensure potential impacts to currently unidentified cultural resources/human

remains occur at less than significant levels. Adherence to the applicable performance standards of the USACE and Caltrans, per §106 of the NHPA, would ensure avoidance or mitigation of potential impacts to potentially significant cultural resources documented within the action area. Therefore, the proposed project would generate potential impacts to cultural resources at levels considered **less than significant with mitigation incorporated**.

MITIGATION: None required.

E. Geology /Soils Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Div. Of Mines & Geology Special Publication 42)				X
b. Strong seismic ground shaking?			X	
c. Seismic-related ground failure, including liquefaction?			X	
d. Landslides?			X	
2. Result in substantial soil erosion or the loss of topsoil?			X	
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, or is otherwise not consistent with the Chico Nitrate Action Plan or policies for sewer service control?				X

DISCUSSION:
The proposed project generally parallels the east side of the SR 99 corridor, extending from Eaton Road at the northern terminus to Southgate Avenue at the southern terminus. The Natural Resources Conservation Service (NRCS) identifies the proposed project corridor crossing three soil map units: Almendra Loam, Vina Fine Sandy Loam and Chico Loam. These soils consist of very deep, well drained soils that occur within alluvial fans and floodplains, with slopes from 0 to 1 percent. Similarly, the City's General Plan MEA delineates the project corridor within the Group 2 Soils, which includes: Conejo-Berrendos (ca-BS), Vina-Farwell (VN-Fd), and Honcut (Hu) soil group/associations (MEA Figure 10-2). These soils are characterized as deep, nearly level, moderately well to somewhat excessively drained soils. These soils are also characterized as moderately expansive (MEA Figure 10-3).

According to the City's General Plan Final EIR (GPFEIR), there are no known earthquake faults in the project area. Currently, there are no designated Alquist-Priolo Special Study Zones within the

Planning Area, nor are there any known or inferred active faults. The project site is not located within a foothill area nor is the project site identified in the County or City General Plans as prone to landslides.

Title 16 of the City's Municipal Code establishes building and construction standards to which all applicable projects must adhere. As identified in the Municipal Code, Title 16R codifies the following basic standards:

Table 3: Title 16 Building Standards

Chapter	Title
16R.02	Basic Building Standards
16R.04	Electrical Standards
16R.06	Mechanical Standards
16R.08	Plumbing Standards
16R.10	Sign Standards
16R.22	Grading Standards
16R.37	Floodplain Standards
16R.42	Fire Regulation Standards

Thus, all projects in the City of Chico are required to adhere to the applicable standards of the UBC and the CBC. The project would be required to implement applicable BMPs based on the geologic, seismic and soil characteristics of the project site.

E.1a – E.1d: The proposed project is not located in an Alquist-Priolo Earthquake Fault Zone. There would be **no impact** resulting from the rupture of known faults.

The proposed project would be required to comply with applicable design standards and BMPs, as required by the CBC and Municipal Code. Because the project would be required to adhere to adopted standards, potential impacts associated with seismic ground shaking is **less than significant.**

Unique and unusual geologic features identified in the City's GPFEIR are identified primarily in the foothill area framing the eastern edge of the City's urban area. Liquefaction occurs in areas with shallow groundwater and recently deposited alluvium or poorly compacted fill, characteristics not present on the project site. Thus, the project site is not subject to hazards resulting from liquefaction or landslides. Impacts are **less than significant.**

MITIGATION: None required.

E.2: The project site is not in an area of highly erosive soils. Furthermore, the project would be required to adhere to the applicable standards of the City's Grading Ordinance, as identified in Chapter 16R.22 of the Municipal Code. Potential erosion impacts are considered **less than significant.**

MITIGATION: None required.

E.3: The project is not proposed in an area that is identified as having high landslide, liquefaction, lateral spreading or subsidence risks. Furthermore, the design standards of the UBC and CBC, as adopted by the Municipal Code, set forth BMPs that address these potential soil-related hazards. Impacts are considered **less than significant.**

MITIGATION: None required.

E.4: Most soil groups within the City's planning area are characterized as moderate to highly expansive. The Safety Element of the City's General Plan establishes Implementing Policy S-I-5, which states, "Continue requiring all new buildings in the City to be built under the seismic requirements of the Uniform Building Code." Thus, project approval is contingent on implementation of appropriate BMPs and adherence to applicable regulations and design standards. However, it should be noted that the proposed project would result in bicycle path improvements and does not result in the construction of dwellings or occupied structures. Therefore, "buildings" is the construction of a bike path. Impacts are considered **less than significant.**

MITIGATION: None required.

E.5: The proposed project would result in bicycle path improvements and does not include construction of dwellings, occupied structures or facilities that require the disposal of septic sewerage or other wastewater. Accordingly, the proposed bike path does not require installation of sewer system connections or onsite septic disposal systems. There is **no impact**.

MITIGATION: None required.

F. Hazards /Hazardous Materials Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				**X**
2. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				**X**
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				**X**
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?			**X**	
5. For a project located within the airport land use plan, would the project result in a safety hazard for people residing or working in the Study Area?				**X**
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the Study Area?				**X**
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				**X**
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				**X**

DISCUSSION:

The proposed project generally parallels the east side of the SR 99 corridor, extending from Eaton Road at the northern terminus to Southgate Avenue at the southern terminus. The proposed facilities would increase pedestrian and bicycle traffic ; however, vehicular traffic and land uses in the project area would not be impacted by the proposed project.

A search of the Department of Toxic Substances Control's (DTSC) EnviroStor Database identified two Leaking Underground Fuel Tank (LUFT) cleanup sites that are located adjacent to the proposed project alignment. One of these sites, GeoTracker ID#T0600775535, located at the intersection Business Lane has been remediated and is no longer undergoing cleanup. The second site, GeoTracker ID#T0600701763, is the City of Chico's Municipal Services Center, and is currently undergoing cleanup activities. The proposed bike lane in this area is the designation of Class II Bike Lane, which includes striping activities. No disturbance to the ground would occur in this area; therefore, there is no potential for the risk of upset of hazardous materials within or immediately adjacent the project area.

The northern terminus of the proposed facilities would occur at East Eaton Road. This point would be approximately one mile southwest of the Chico Municipal Airport (CMA). The proposed bikeway facilities would not occur within the current or projected 55dB CNEL noise contour for the CMA, as identified in the Airport Land Use Compatibility Plan (ALUCP) prepared by the Butte County Airport Land Use Commission (ALUC, 2000). Portions of the proposed bikeway facilities would be constructed in Land Use Compatibility Zones C and D, as established by the Butte County Airport Land Use Commission for the CMA. Land Use Zone C, identified as Airport Traffic Pattern, includes density requirements of one dwelling unit per five acres or no less than four dwelling units per one acre. The reimaining portions of the project corridor is not within the vicinity of any private airstrips.

The proposed project would result in Class I and Class II/III bicycle facilities and pedestrian improvements adjacent to the SR 99 corridor. However, the proposed path improvements would not result in facilities that would emit or handle hazardous materials or substances.

The Chico Fire Department (CFD) serves the incorporated portions of the Planning Area. The Butte County Fire Department and the California Department of Forestry and Fire Protection (CDF) provide fire protection and rescue services in the unincorporated portions of the Planning Area. Mutual aid agreements between the departments result in prompt response times throughout the City's Sphere of Influence. According to the MEA, there is a fire station within seven minutes of all incorporated locations in the Chico urban area.

F.1 – F.2: The construction of bicycle paths and related infrastructure does not involve the use of large amounts of hazardous substances. Construction vehicles and equipment do use small amounts of petroleum products that could accidentally be spilled onto the site. Construction activities are strictly regulated by local, state and federal guidelines, which prevent the accidental release of toxic substances into the environment. The project will be required to adhere to the City Municipal Code, Title 16, Building Standards, which are based on the UBC and require incorporation of BMPs, such as designating staging areas for construction vehicles. The City will also be required to develop a SWPPP and incorporate practicable and relevant BMPs, pursuant to the City's SWAP (refer to Section G, Hydrology and Water Quality, for a complete discussion). Adhering to pertinent regulations during construction activities would reduce potential impacts resulting from the storage, transport, disposal or accidental release of hazardous materials to levels that are considered **less than significant**.

MITIGATION: None required.

F.3 – F.8: The proposed project corridor bisects the City from north to south and would provide access to nearby school facilities throughout the City. However, the project's proximity to existing

or proposed schools is not relevant with regard to hazardous materials, as the bike path would not result in emissions or production of hazardous materials.

As discussed above, the DTSC EnviroStor Database identified two Leaking Underground Fuel Tank (LUFT) cleanup sites that are located adjacent to the proposed project alignment; one which has been remediated and one which is undergoing cleanup. However, no ground disturbance would occur in the areas where cleanup activities are taking place; therefore, there is no potential for the risk of upset of hazardous materials within or immediately adjacent the project area. Portions of the proposed bikeway facilities would be constructed in Land Use Compatibility Zones C and D, as established by the Butte County Airport Land Use Commission for the CMA. Land Use Zone C, identified as Airport Traffic Pattern, includes density requirements of one dwelling unit per five acres or no less than four dwelling units per one acre. However, construction of the bike path facilities would not result result in safety hazards to people residing or working in the area due to the proximity of airports. Development of the proposed project would neither hinder the implementation, nor physically interfere with, emergency response or evacuation plans. The project site is located within the urban area of the City of Chico, including residential areas and Highway 99. Therefore, the project would not introduce people or structures to wildland fire hazards compared to pre-project conditions. There would be **no impact**.

MITIGATION: None required.

G. Hydrology/ Water Quality Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Violate water quality standards or waste discharge requirements?			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?			X	
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
4. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
6. Otherwise substantially degrade water quality?			X	
7. Place real property within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

G. Hydrology/ Water Quality Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
10. Inundation by seiche, tsunami, or mudflow?				**X**

DISCUSSION:
Phase 2 of the proposed project includes a bridge crossing over Little Chico Creek and would require the construction of facilities adjacent to the northern and southern banks of the creek. The bridge would be a clear-span pedestrian bridge; therefore, require modifications to the creek embankment are not anticipated. The construction of the Class I bike path facilities would result in a slight increase in impervious surfaces. With the exception of the area immediately adjacent to Teichert Ponds and the portions of the bike corridor that will connect to existing facilities (i.e., Lindo Channel, Bidwell Park and the north side of Little Chico Creek), the project site is not located within a flood hazard area. According to the FEMA, Flood Insurance Rate Maps (various panels 06007CXXXX) the Class I Bike Path proposed on the unpaved path/maintenance road along the western edge of Teichert Ponds is located within a special flood hazard area inundated by 100-year flood. Specifically, this area is designated "AE-Base flood elevations determined." The area immediately adjacent to Little Chico Creek is designated as Zone AO, "flood depths of 1 to 3 feet."

G.1 – G.10: The project proposes grading and construction activities that are subject to Central Valley Regional Water Quality Control Board (RWQCB) and City guidelines.

The City's General Plan encourages use of natural drainage techniques and provides policies to ensure provision of adequate drainage facilities. To ensure compliance with the Federal Clean Water Act (CWA) and Phase II of the National Pollution Discharge Elimination System (NPDES) Storm Water Program, the City of Chico has implemented the Storm Water Management Program (SWAP) as approved by the CVRWQCB. The SWAP assists with interpretation and application of the storm water requirements of the CWA. It provides an overall storm water management program, which identifies appropriate actions and Best Management Practices (BMPs) to address water quality problems and regulatory requirements.

Prior to the commencement of grading and construction activities, the City will ensure compliance with the SWAP and NPDES Phase II program, which includes the identification of appropriate BMPs and preparation of a Stormwater Pollution Prevention Plan (SWPPP). Compliance with these regulations provides adequate reduction of potential stormwater impacts. In addition, the project would be subject to City grading standards as identified in Municipal Code Chapter 16R.22.

Design of the project in accordance with the BMPs required for compliance with the NPDES Phase II Program will ensure the impacts related to water quality are less than significant. NPDES compliance and adhering to the appropriate BMPs included in the grading permit would result in **less than significant** impacts to drainage and runoff.

There would be no new sources of groundwater extraction. The slight increase in impervious surface area would not impede groundwater recharge. Water supply impacts would be **less than significant**.

The project would not create structures or facilities that would impede or redirect flood flows. The project would involve improvements to a predominantly previously disturbed and developed area. No significant impacts to safety would occur beyond existing conditions. Additionally, risks associated with inundation by seiche, tsunami, or mudflow would not occur beyond existing conditions. The project would result in **no impact.**

MITIGATION: None required.

H. Land Use and Planning Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. General Plan/Specific Plan policies or zoning regulations?			X	
2. Physically divide an established community?				X
3. Conflict with any applicable Resource Management or Resource Conservation Plan?				X
4. Result in substantial conflict with the established character, aesthetics or functioning of the surrounding community?			X	
5. Be a part of a larger project involving a series of cumulative actions?			X	
6. Result in displacement of people or business activity?				X
7. Conversion of viable prime agricultural land and/or land under agricultural contract to non-agricultural use, or substantial conflicts with existing agricultural operations? (Viable agricultural land is defined as land on Class I or Class II agricultural soils of 5 acres or greater, adjacent on no more than one side to existing urban development.)				X

DISCUSSION:
The proposed project would construct bicycle and pedestrian facilities in two phases, traversing much of the city's north-south extent. Therefore, the proposed facilities would be constructed within, and adjacent to, nearly all land use designations and zoning districts.

The Transportation Element and Community Design Element of the Chico General Plan set forth a series of policies pertaining bicycle and pedestrian facilities against which the proposed project can be evaluated:

Transportation Element	
G-1	*Develop a system of sidewalks & bikeways*
G-2	*Provide safe & direct pedestrian routes & bikeways*
G-6	*Plan & design pedestrian facilities to meet the needs of disabled persons*
I-3	*Make bikeway improvements a funding priority*
I-4	*Implement the bikeway plan*
I-12	*Increase bicycle safety*

Community Design Element	
G-12	*Open up creeks to public view & access*
G-13	*Extend the amenity value of the creeks*
G-14	*Diminish...barrier effect of creeks...Bridges should be designed for bikes & pedestrians*
G-30	*Improve the physical linkages to...Bidwell Park through creek crossings, trails... & other bicycle & pedestrian improvements*

Many of the goals and policies of the Chico General Plan promote improved access and safety conditions for non-motorized transportation and recreation. The proposed project would not conflict with, or be inconsistent with, any identified General Plan policies, zoning regulations or applicable management plans.

While the proposed project would incorporate a linear extent of several miles, it would not physically divide the community. Rather, the proposed path is intended to increase connectivity while providing a safer environment for non-motorized recreation and transportation.

The proposed project would not result in potential conflicts with any adopted resource management plans or resource conservation plans.

The proposed bikeway improvements would be constructed in two phases, both of which are analyzed in this study.

The proposed project would be linked, directly or indirectly, to a series of city improvements, both planned and currently unidentified. The proposed action is closely related to the development and improvement of bike paths and lanes throughout the Planning Area. These improvements are collectively rooted in a variety of plans, policies and goals. Guiding and implementing policies found throughout the General Plan identify the need to improve existing bicycle facilities and develop new facilities, which will promote connectivity and alternatives to automobiles. Policies in the General Plan, which promote connectivity, increase safety and promote alternatives to automobiles, effectively prevent potentially significant impacts stemming from large-scale automobile use, divisions of the community and related catalysts stemming from continued growth. All future projects borne of these GP policies would undergo separate environmental review in which the unique characteristics of the project, site and subsequent potential impacts would be considered. The proposed project is consistent with City policies identified in the *General Plan*, Municipal Code and Urban Area Bicycle Plan.

The proposed plans for Phase I would not require the acquisition of right of way. Phase II would likely require right of way acquisition per the applicable bikeway design standards and in order to ensure the safe and proper function of the proposed facilities. The conceptual alignments of the Phase II facilities reflect roadway alignments, logical termini and parcel boundaries. The proposed improvements are not expected to affect residences or businesses to a degree that would result in displacement. Construction activities may result in occasional delays for those traveling in the project area.

H.1 – H.7: As an identified component of the 2008 Chico Urban Area Bicycle Plan (CUBP), the proposed facilities will tie in with existing bikeways and increase connectivity to facilities that may be constructed in the future. The proposed project would provide for a more consistent, direct and safe route for cyclists and pedestrians to travel throughout the City and to existing park facilities. Per the CUBP, the proposed project would *provide safe and direct routes for cyclists between and through residential neighborhoods, commercial areas, schools, and other major destinations within the Chico Urban Area.*

The proposed facilities would provide a north-south corridor traversing, and providing increased access to, a series of east-west drainages that can be physical barriers to non-vehicular transportation within the city. Roadway crossings, which are identified in the CUBP as "perceptive barriers," would be improved with the applicable pedestrian/bicycle safety devices to ensure adherence to the appropriate design standards and to minimize barrier perceptions.

Per City standards, the design of infrastructure, materials and colors shall be visually compatible with the surrounding area and provide an attractive environment. The proposed project would enhance the utility of existing bicycle and pedestrian routes, thereby reducing automobile traffic and increasing community connectivity.

The project site is located in the city limits and predominantly within the boundaries of existing rights of way. The proposed bikeway improvements would not conflict with any adopted resource

management plans or resource conservation plans. Similarly, the proposed project would neither convert, nor cause conflict with, agricultural uses or contracts.

Therefore, relative to land use factors, the proposed project would result in potential impacts at levels considered **less than significant.**

Mitigation: None required.

I. Noise Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Exposure of residents in new hotels, motels, apartment houses, and dwellings (other than single-family dwellings) to interior noise levels (CNEL) higher than 45 dBA in any habitable room with windows closed?				X
2. Exposure of sensitive receptors (residential, parks, hospitals, schools) to exterior noise levels of 60 dBA L or higher?			X	
3. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
4. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
5. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
6. For a project located within the airport land use plan, would the project expose people residing or working in the Study Area to excessive noise levels?			X	
7. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the Study Area to excessive noise levels?				X

DISCUSSION:
The Chico General Plan establishes standards related to both noise generation and noise exposure. Noise levels are most commonly expressed in decibels (dB). The General Plan noise levels are expressed in equivalent values, which represent average levels generated over a 24-hour period. Thus, the equivalent values correct for the greater significance of potential impacts generated by nighttime noise compared to daytime noise. The noise standards of the General Plan are based on Community Noise Equivalent (CNEL) and Day-Night Noise Level (Ldn) equivalent values.

Noise generation thresholds are set forth in the General Plan to achieve the city's goals of protecting residents and sensitive receptors from the harmful and annoying effects of exposure to excessive noise. The General Plan also identifies maximum allowable exposure levels for new land uses adjacent to existing noise sources. Noise sensitive land uses such as schools and residences have lower permissible noise exposure levels than other uses such as playgrounds and neighborhood parks.

The city's Noise Ordinance (Municipal Code Chapter 9.38) regulates noise generation within the City of Chico. For example, the ordinance prohibits noise sources on public properties from producing a noise level that exceeds 60dBA (decibels on an A-weighted scale) at 25 feet or more from the source. The ordinance also prohibits new noise sources from increasing noise levels by 15 decibels at 25 feet from the source.

Project contractors would be required to comply with Chapter 9.38 of the Chico Municipal Code, which sets forth the City's standards for construction-generated noise and limits the hours of construction activities within the City. Additionally, the Chico Municipal Code (§9.38.060) contains a categorical exemption for construction activities as follows:

> *The following ... are exempt from the provisions of this chapter:*
> *Notwithstanding any other provision of this chapter, between the hours of ten a.m. and six p.m. on Sundays and holidays, and seven a.m. and nine p.m. on other days, construction ... shall be subject to one of the following limits:*
> *No individual device or piece of equipment shall produce a noise level exceeding eighty three (83) dBA at a distance of twenty-five (25) feet from the source.*

The *Maximum Allowable Noise Exposure to Transportation Noise Sources* table in the General Plan Noise Element establishes the following noise level thresholds, based on land use:

Land Use	Outdoor Activity dB Threshold
Residential	60 CNEL/Ldn
Transient Lodging	60 CNEL/Ldn
Hospitals, Nursing Homes	60 CNEL/Ldn
Theaters, Auditoriums, Music Halls	--
Churches, Meeting Halls	60 CNEL/Ldn
Office Buildings	--
Schools, Libraries, Museums	60 CNEL/Ldn
Playgrounds, Neighborhood Parks	70 CNEL/Ldn

The proposed project would not be subject to any interior noise level thresholds, as there would be no residences or occupied structures constructed.

The project site is not within the vicinity of any private airstrips. The northern terminus of the proposed facilities would occur at East Eaton Road. This point would be approximately one mile southwest of the Chico Municipal Airport (CMA). The proposed bikeway facilities would not occur within the current or projected 55dB CNEL noise contour for the CMA, as identified in the Airport Land Use Compatibility Plan (ALUCP) prepared by the Butte County Airport Land Use Commission (ALUC, 2000). Portions of the proposed bikeway facilities would be constructed in Land Use Compatibility Zones C and D, as established by the Butte County Airport Land Use Commission for the CMA. Land Use Zone C, identified as Airport Traffic Pattern, includes density requirements of one dwelling unit per five acres or no less than four dwelling units per one acre. In contrast to Zone C, Land Use Zone D, identified as Other Airport Environs in the ALUCP, does not incorporate specific density requirements.

I.1 – I.7: The project would not result in the construction of dwellings or structures. Thus, interior noise thresholds would not be applicable. The proposed project would not permanently increase ambient noise levels to the extent that adjacent sensitive receptors could be impacted. The nearest private airstrip, Ranchaero Airport, is over three miles west of the SR99 alignment.

The proposed improvements would be expected to result in temporary noise increases during construction activities. The use of equipment during construction is not expected to result in temporary or permanent excessive groundborne vibration or groundborne noise levels. During construction activities, all increases in noise levels in the project vicinity above existing levels would be temporary. Project contractors would be required to comply with Chapter 9.38 of the

Chico Municipal Code, which sets forth the City's standards for construction-generated noise and limits the hours of construction activities within the City. As such, construction activities would be expected to generate noise at levels below the Chico Municipal Code thresholds.

Users of the proposed bicycle path could be exposed to temporary noise increases at or above 60dB as they travel in the vicinity of SR99. Per Table 9.2-1 of the Chico General Plan, outdoor land uses, such as playgrounds and parks are identified as "feasible" with an outdoor noise exposure up to 70dB and "probably feasible" with levels of 75-80dB. As the project proposes to improve pedestrian and cycling conditions in an area adjacent to SR99, the outdoor noise levels would not be expected to exceed the established exposure thresholds.

The proposed bikeway facilities would not result in permanent noise levels significantly higher than existing ambient levels. Similarly, the proposed project would not result in substantial land use changes over pre-project conditions. As such, the proposed improvements would not subject new users to significant, existing noise levels.

The use of construction equipment during construction of the proposed project is not expected to result in temporary or permanent excessive groundborne vibration or groundborne noise levels.

Some of the proposed improvements would occur within the outermost limits of the ALUCP. The proposed bikeway facilities would not conflict with noise exposure or land use policies of the ALUCP.

Relative to these environmental factors, the proposed project would generate potential noise impacts at levels considered **less than significant**.

MITIGATION: None required.

J. Open Space/ Recreation Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Affect lands preserved under an open space contract or easement?			**X**	
2. Affect an existing or potential community recreation area?			**X**	
3. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
4. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				**X**

DISCUSSION:

J.1 – J.4: The proposed bikeway corridor connects to existing facilities at Lindo Channel and Bidwell Park, which are designated as Creekside Greenway and Park, respectively. The clear-span bridge crossing over Little Chico Creek is proposed as part of Phase 2 of the project and is predominantly located within an area that is designated as *Parks* (P) in the General Plan and within the *Secondary Open Space* (OS2) zoning district. There are no existing open space contracts or easements that would be compromised by the proposed project.

The proposed project extends from Eaton Road at the northern terminus to Southgate Avenue at the southern terminus. The project proposes to connect to existing Class I bike and pedestrian

facilities that cross Lindo Channel, Big Chico Creek in Bidwell Park, and the existing bike path on the north side of Little Chico Creek.

The project proposes connecting to these existing facilities with Class II bike lanes, therefore construction activities would be limited to striping the designated bike lane. In the area of Teichert Ponds, where a Class I bike path (Phase 1) and a clear-span bridge over Little Chico Creek (Phase 2) is proposed, recreationists may experience temporary and minor aesthetic and noise impacts associated with construction activities during their use of this area. Once the project is completed, the area will function in a similar, yet more efficient manner. The conditions for recreation will improve in terms of safety and access once the project is completed.

The proposed project improves access to Bidwell Park, which is an established recreational/park facility. Generally, installation of bicycle paths and other connections do not increase the use of a park, but rather it is the type of recreational facility destination, such as the gymnasium, tennis courts, playground and soccer fields, that creates the motive to travel and ultimately use the park. Therefore, the development of a bicycle path would not increase the use of existing community park facilities in which substantial deterioration of the facility would occur or be accelerated.

Portions of the bikeway would provide an alternate bicycle and pedestrian route, separated from vehicular traffic and thus complete another segment of the *Chico Urban Area Bicycle Plan* (CUBP). A benefit of the project would be increased connectivity between existing bicycle lanes while providing a safer environment for cyclists and motorists. Thus, the project may result in greater use of existing bicycle lanes and paths. The project is consistent with City policies identified in the General Plan and the CUBP (see the Land Use and Planning, Transportation/Circulation and Mandatory Findings of Significance sections of this document for further discussion).

The proposed bicycle path implements a recreational and circulation facility planned in the General Plan, the BCAG's Federal Transportation Improvement Program (FTIP) and the Chico Urban Area Bicycle Plan. There would be no impact.

Based on the discussions above, potential impacts on open space, easements and community recreation areas are considered **less than significant**.

MITIGATION: None required.

K. Population/ Housing Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				**X**
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				**X**
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				**X**
4. Conflict with General Plan population growth rates for its planning areas in conjunction with other recently approved development?				**X**

DISCUSSION:

K.1 – K.4: Phase 1 of the proposed project would occur within the existing city limits and would connect to existing bicycle and pedestrian facilities, and use existing surface streets and County easements along the SUDAD system. Phase 2 would also use existing facilities and surface streets, but also requires right-of-way acquisition for proposed Class I bike paths. The project would not induce population growth directly, as it does not propose the construction of residences or similar land uses. The proposed bicycle and pedestrian facility is not an infrastructure improvement (such as sanitary sewers) that could lead to the area being able to support larger populations than under current conditions. No housing units, people or businesses would be temporarily or permanently displaced by the proposed project. The project would not result in access to areas that were once undevelopable due to lack of infrastructure. The project is not considered growth inducing. With regard to housing and population, the project would have **no impact**.

MITIGATION: None required.

L. Public Services Will the project or its related activities have an effect upon or result in a need for altered governmental services in any of the following areas:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Fire protection?			X	
2. Police protection?			X	
3. Schools?			X	
4. Parks and recreation facilities? (See Section J Open Space/Recreation)			X	
5. Maintenance of public facilities, including roads, canals, etc.?			X	
6. Other government services?			X	

DISCUSSION:
The project corridor is located within the city limits, connects to existing bicycle facilities and uses existing surface streets and County easements. Phase 2 of the project would require acquisition of right-of-way for Class I bike paths. The Chico Fire Department would serve the project corridor and surrounding parcels.

The Chico Police Department (CPD) serves the incorporated portion of the City's planning area. The CPD is responsible for enforcing State laws and City ordinances in the area of the project site.

The project site is located within the Chico Unified School District. The proposed improvements would improve access to area schools including, Neal Dow Elementary, Chapman Elementary, and Marsh Junior High School.

K.1 – K.6: The proposed project would not require additional firefighting equipment nor any additional fire or police personnel. Once completed, the project would likely require routine, yet minimal, maintenance in order to maintain design details. As described in Section H, Land Use and Planning, of this study, the proposed facilities are consistent with both the *Chico Urban Area Bicycle Plan* and the General Plan.

The proposed project would not generate additional demand on public services. Rather the proposed improvements are in response to an existing demand for safe and separate, non-motorized facilities in the project area. The proposed project would not result in a population increase within the project area, nor would it result in altered land uses over pre-project conditions.

No other governmental services are affected by the project. As described in the City's General Plan Land Use and Transportation Elements, increased bicycle use, connectivity and safety are beneficial objectives that reduce potential impacts caused by population growth and excessive automobile use.

No new residences are proposed with this project. The project would not contribute additional students to the local schools and school impact fees would not be required. There would be no impact to school services.

Therefore, impacts associated with any changes in the demand on public services would be considered **less than significant**.

MITIGATION: None required.

M. Transportation/Circulation Will the project or its related activities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Traffic volumes which exceed established Level of Service (LOS) standards on roadway segments or at intersections, or which do not meet applicable safety standards? Based on General Plan policies, significant impacts would generally result if traffic exceeded LOS C on residential streets, LOS D on arterial & collector streets/intersections, and (under specific circumstances) LOS E in built-out areas served by transit.				**X**
2. The absence of bicycleway facilities in the general locations identified in the General Plan, consistent with guidelines in the *Chico Urban Area Bicycle Plan*, or failure to meet applicable design requirements and safety standards?				**X**
3. Travel characteristics which are not consistent with standards established in the *Butte County Congestion Management Plan* (CMP), or other General Plan policies related to Transportation Systems Management (TSM)?				**X**
4. Substantial impact on existing or proposed public transit systems including rail and air traffic?				**X**
5. Effects on existing parking facilities or demand for new parking not provided for by the project?			**X**	
6. Increase traffic hazards to motor vehicles, bicycles, pedestrian or other traffic?			**X**	
7. A change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			**X**	

DISCUSSION:
Highway 99 forms the western boundary of the bikeway corridor. Phase 1 project roadways include: Silverbell Road, Panama Avenue, East Avenue, Tom Polk Avenue, White Avenue, Alba Avenue, Pillsbury Road, Manzanita Avenue, East Lindo Avenue, Neal Dow Avenue, Hill View Way, Downing Avenue, Sierra Vista Way, Rey Way, Sheridan Avenue, Fir Street, Forest Avenue, and Notre Dame Boulevard. Phase 2 project roadways include: Emilio Way, White Avenue, Palmetto Avenue, East 20th Street, Business Lane, Talbert Drive, and Southgate Avenue. Refer to **Figure 2**.

Other major roadways that bisect the project corridor include: Eaton Road, East Lassen Avenue, East Avenue, Cohasset Road, East 5th Avenue, East 1st Avenue, Palmetto Avenue, Vallombrosa

Avenue, East 8th Street, State Route 32, Springfield Drive, East 20th Street, Forest Avenue, Skyway, and Southgate Avenue. In addition, existing Class I bicycle facilities connect to the proposed project including: the Class I bike path that extends from the intersection of Eaton Road and Cohasset Road to Esplanade and East 11th Avenue; the Class I bike path that extends from Alba Avenue to Pillsbury Road; and Class I facilities at Lindo Channel, Bidwell Park, Little Chico Creek, and behind Kohls, Logan's restaurant and Wal-Mart. Existing Class II bicycle facilities that connect to or are a part of the proposed project, include Manzanita Avenue, parallel to Lindo Channel; Springfield Drive, Forest Avenue, Business Lane, and Notre Dame Boulevard. Public transit within the project vicinity is provided by the Butte Regional Transit System (B-line).

As stated previously in the Section H, Land Use and Planning, the project is an identified component of the 2008 *Chico Urban Area Bicycle Plan* (CUBP) and will tie in with the existing City bicycle paths. The CUBP was part of a comprehensive bicycle planning effort that began with the original 1991 Chico Urban Area Bicycle Plan that later became part of the 1995 Chico Urban Area Bicycle Transportation Plan (updated by the Butte County Association of Governments). The City of Chico has updated the Plan in 1998, 2002, and most recently in 2008. The 2008 CUBP is a continued effort by the City of Chico to assess the needs of bicyclists in the community and to assure needed facilities will be provided in the future.

In addition, the proposed project is identified in the Butte County Association of Government's (BCAG) *2009 Federal Transportation Improvement Program* (FTIP) for Butte County. BCAG is responsible for development of federal and state transportation plans and programs that secure transportation funding for the region's highways, transit, streets and roads, pedestrian and other transportation system improvements.

BCAG adopted the 2009 FTIP in July 2008, which includes 2009 amendments. The FTIP is a comprehensive listing of Butte County surface transportation project that receive federal funds, or are subject to a federally required action, or are regionally significant. The FTIP includes a financial plan that demonstrates that programmed projects can be implemented. In addition, all projects included in the FTIP must be consistent with the Regional Transportation Plan (RTP) for Butte County. Refer to **Attachment A**.

M.1 – M.7: The proposed project would provide a combination of Class I bike paths and Class II/III bike lanes and routes, thereby improving the connectivity of facilities throughout the City. The project is an alternative transportation facility. Additionally, by providing separate and improved facilities as well as designated lanes for bicyclists, there will be fewer disruptions in the flow of vehicular traffic along the project corridor. The installation of the proposed facilities is consistent with the County's *Congestion Management Plan* and the City's Transportation Systems Management policies. The proposed project is not expected to require additional services from the B-Line. The project is intended to reduce existing hazards by providing facilities for bicyclists and pedestrians that are currently lacking. These facilities would be constructed pursuant to relevant safety guidelines identified by Caltrans and the City and are intended to improve the existing bicycle network. The project is consistent with the City's General Plan Transportation and Community Design Elements and the CUBP as well as the County's FTIP program and RTP. The project is intended to improve current transportation and circulation conditions, by using funds identified for this purpose and in a manner that is consistent with City policies.

The project does not include any development (housing, commercial, etc.) that would create new vehicular trips, nor increase demand on parking facilities. The proposed improvements are intended to improve bicycle and pedestrian circulation in the city. Lastly, the project would not result in changes to air traffic patterns. The project would result in **no impact** to transportation/circulation factors.

MITIGATION: None required.

N. Utilities Will the project or its related activities have an effect upon or result in a need for new systems or substantial alterations to the following utilities:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
1. Water for domestic use and fire protection?				X
2. Natural gas, electricity, telephone or other communications?			X	
3. Exceed the wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
4. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
5. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
6. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
7. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
8. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
9. Comply with federal, state, and local statutes and regulations related to solid waste?				X

DISCUSSION:

N.1 – N.9: The proposed project would not result in the need for new water lines, natural gas, electricity, telephone or other communications in the vicinity. There would be no new wastewater discharges associated with the implementation of this project. The project would not result in increased demands on water treatment facilities. The proposed project does not include uses that require new water services. The project does not propose a land use that would result in increased demands on wastewater treatment or landfill capacity. Therefore, there would be no impact to these utilities**.** Existing infrastructure is in place to make site-specific electrical connections for necessary safety lighting and bicycle/pedestrian crossing devices.

As described in the Biological Resources, Geology/Soils and Hydrology/Water Quality Sections of this study, potential impacts to water quality and quantity would be avoided by adhering to pertinent local, state and federal guidelines and through the implementation of appropriate BMPs. The City will adhere to the SWAP and grading standards identified in Chico Municipal Code Section 16R.22. The City's Storm Water Management Program (SWAP) implements storm water requirements of the Federal Clean Water Act. It provides an overall storm water management program, which identifies appropriate actions and BMPs. The drainage plan requires adherence to the City's NPDES Phase II Program, including implementation of appropriate BMPs. The project would not result in increased demand on existing stormwater facilities. Adhering to the appropriate federal, state and local guidelines, as identified in this document, would result in the project generating **less than significant** impacts.

MITIGATION: None required.

5. Mandatory Findings of Significance

Pursuant to Section 15382 of the State CEQA Guidelines, a project shall be found to have a significant effect on the environment if any of the following are true:

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
A.	The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.			X	
B.	The project has possible environmental effects which are individually limited but cumulatively considerable. (Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current and probable future projects.			X	
C.	The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.			X	

DISCUSSION:

Section 15065 of the CEQA Guidelines (Guidelines) identifies the circumstances under which a lead agency must prepare an EIR. A lead agency must identify whether, in light of the whole record, a project could have a significant effect on the environment. The following four conditions are the identified EIR catalysts:

1. The project may: Degrade the quality of the environment, Substantially reduce the habitat of a fish/wildlife species, Cause a population to drop below self-sustaining levels, Eliminate a plant/animal community, Reduce the number/restrict the range of endangered, rare or threatened species, or Eliminate important examples of major periods of the state's history or prehistory.
2. The project may achieve short-term goals while being detrimental towards long-term goals pertaining to environmental quality.
3. The project may result in cumulatively considerable environmental effects despite individual effects that may be less than significant.
4. The project's environmental effects may result in adverse effects on human beings.

The Guidelines clarify that, if the lead agency has identified adequate mitigation for all potentially significant effects, an EIR is not required simply because the potential effects would be significant in the absence of mitigation.

As the culminating section of an initial study, the Mandatory Findings of Significance must analyze the proposed project within the context of §15065 of the Guidelines. As identified in §15065(a), the analysis must be rooted in "substantial evidence, in light of the whole record." It is within this context that the following Mandatory Findings of Significance were prepared.

This document was prepared to ensure the continued adherence to full disclosure during

implementation of city-sponsored projects and capital improvements.

5.A – 5.C: The proposed improvements would be required to adhere to the applicable standards of the Chico General Plan, BPTM, Municipal Code and SWMP. Furthermore, the proposed improvements would be required to adhere to the applicable performance standards of the USACE, USFWS, NOAA Fisheries, DFG, RWQCB and SHPO.

Based on the analysis set forth in this document, the proposed project would not generate potentially significant impacts to wildlife species, habitat or cultural resources. Thus, the proposed improvements would result in potential impacts considered less than significant.

Adherence to the requirements of the mitigation measures in this document and the permitting processes of regulatory agencies (as described in the City's Best Practices Technical Manual) there would ensure less than significant cumulative impacts. The proposed bicycle paths are consistent with the City's General Plan, Municipal Code and Chico Urban Area Bicycle Plan. Furthermore, the proposed facilities would be constructed according to City and Caltrans design standards, which ensure safe, proper functioning facilities.

Based on the preceding environmental analysis, through incorporation of the identified mitigation measures and compliance with local, state and federal regulations, as noted in this document, the proposed project would not result in potentially significant cumulative, direct or indirect adverse effects on the environment or human beings.

References

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1977. Highway Construction Noise. Washington DC.

Note: The above referenced information is available for public review at the City of Chico Planning Services Department, 411 Main Street, Chico, California or at the identified webpage.

Easterly Bridge

Easterly Bridge

NOTICE OF DETERMINATION

TO: [ ] Office of Planning & Research
State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

[X] County Clerk
County of Butte
25 County Center Drive
Oroville, CA 95965

From: City of Chico Capital Project Services
P. O. Box 3420
Chico, CA 95927

DATE RECEIVED FOR FILING
Posted 10/15/2009 (Date) through (Date)

FILED
OCT 15 2009
CANDACE GRUBBS, BUTTE CO. CLERK
C. WANGBERG DEPUTY

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: State Route 99 Corridor Bikeway Project (Project # 50166)

State Clearinghouse No. (if applicable): SCH # 2009092041

Lead Agency Contact: Tracy R. Bettencourt, AICP **Area Code/Telephone:** (530) 879-6903

General Project Location: Chico, Butte County

Location - Specific: The project generally parallels the east side of the State Route 99 corridor throughout the City of Chico, commencing at Eaton Road to the north and traversing south to Southgate Avenue.

Description of Project: The project consists of the construction of an approximately 6.7-mile long contiguous bicycle facilities project generally paralleling the State Route 99 corridor that will be developed in two phases. Phase I will be completed within 12 months of commencement, and Phase II is planned for completion within three years, depending on funding. The ultimate bikeway alignment is comprised of a combination of Class I and Class II/III facilities commencing at Eaton Road to the north and traversing south to Southgate Avenue. The bikeway will be located on portions of surface streets, drainage easements, Butte County owned SUDAD property, and City parkland, and will complete gaps between existing bicycle paths, lanes, and routes currently located primarily on the east-side of the SR 99 right-of- way. Associated safety devices, including lighting, fencing, controlled crossings and median refuges, will be incorporated where appropriate.

This is to advise that the City of Chico, as Lead Agency, approved the above described project on October 14, 2009 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared and adopted for this project pursuant to the provisions of CEQA.
3. Mitigation measures are required as a condition of the approval of the project and a Mitigation Monitoring and Reporting Program was adopted.
4. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Initial Study / Mitigated Negative Declaration, with comments and responses, and record of project approval is available for public review at the City of Chico Capital Project Services Department, 411 Main Street, 2nd Floor, Chico, CA 95928.

Signature: Tracy R Bettencourt Date: Oct. 15, 2009 Title: Senior Planner

ATTACHMENT 2

DECLARATION OF FEES DUE
(California Fish and Game Code Section 711.4)

NAME AND ADDRESS OF LEAD AGENCY:

City of Chico – Capital Project Services
411 Main Street
Chico, CA 95928

NAME AND ADDRESS OF APPLICANT:

City of Chico – Capital Project Services
P.O. Box 3420
Chico, CA 95927

Project: State Route 99 Corridor Bikeway (Capital Project # 50166)

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

1. *NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION*
   - [ ] A. *Statutorily or Categorically Exempt*
     $50.00 Butte County Clerk's Filing Fee
   - [ ] B. *General Rule Exemption*
     $50.00 Butte County Clerk's Filing Fee

2. *NOTICE OF DETERMINATION - FEE REQUIRED*
   - [X] A. *Negative Declaration*
     *$1,993.00 Department of Fish and Game State Filing Fee**
     $50.00 Butte County Clerk's Filing Fee
   - [ ] B. *Environmental Impact Report*
     *$2,768.25 Department of Fish and Game State Filing Fee**
     $50.00 Butte County Clerk's Filing Fee

TWO COPIES OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE BUTTE COUNTY CLERK'S OFFICE.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING ANY ENVIRONMENTAL DOCUMENTS WITH THE BUTTE COUNTY CLERK'S OFFICE.

THREE COPIES OF ALL NECESSARY DOCUMENTS ARE REQUIRED FOR FILING PURPOSES.

MAKE CHECKS PAYABLE TO COUNTY OF BUTTE.

*CALIFORNIA DEPARTMENT OF FISH AND GAME FILING FEES ARE SPECIFIED IN FISH AND GAME CODE SECTION 711.4(d).

Easterly Bridge

CITY OF CHICO
CHICO, CA

VENDOR ID	VENDOR NAME	CHECK DATE	CHECK NO.
14246	BUTTE COUNTY CLERK RECORDER	10/12/09	058687

INVOICE NUMBER	DATE	PO NUMBER	DESCRIPTION	AMOUNT PAID	DISCOUNT	NET AMOUNT
NOD 10/12/09	10/12/09		Major Cap Proj	2,043.00	0.00	2,043.00

Recorder's Office
County of
Butte
CANDACE J. GRUBBS
County Clerk-Recorder

****
**** Duplicate Receipt *****
****

1 FISH AND GAME CLERKS FEE 50.00
1 NEGATIVE DECLARATION 1993.00

TOTAL 2043.00

CHECK 8687 2043.00

CHANGE 0.00

10/15/2009 9:14AM 200910150025
RW ECR-REC06

Thank You
Have a Nice Day!

Requested By:
CITY OF CHICO

TOTAL 2,043.00

THIS DOCUMENT HAS INVISIBLE FLUORESCENT FIBERS VIEW UNDER BLACK LIGHT

CITY OF CHICO
INC 1872

CITY OF CHICO
PO BOX 3420
CHICO, CA 95927

BANK OF AMERICA
SACRAMENTO GOVERNMENT SERVICES 1436
555 CAPITAL MALL SUITE 265
SACRAMENTO CA 95814-4503

CHECK NO. AP 0058687

10/12/2009 11-35 / 1210

AMOUNT
******2,043.00

PAY EXACTLY TWO Thousand FORTY THREE Dollars and ZERO Cents

TO THE ORDER OF
BUTTE COUNTY CLERK RECORDER
25 COUNTY CENTER DR
OROVILLE, CA 95965

DOCUMENT CONTAINS A COLORED BACKGROUND

⑈058687⑈ ⑆121000358⑆ 14906⑈50003⑈

Easterly Bridge

INITIAL STUDY

for the

Little Chico Creek Bike Path
(Capital Project Services - MAJGC/12058-300-4150)

City of Chico
Environmental Coordination and Review
Capital Project Services Department

August 2008

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INITIAL STUDY

City of Chico
Environmental Coordination and Review

ROUTE TO:

[**X**] City of Chico – Building and Development Services Department
[**X**] City of Chico – Parks Department
[ ] State Clearinghouse (15 copies)
[**X**] All Trustee and Responsible Agencies
[**X**] Butte County Planning
[ ] Butte County Public Works
[ ] LAFCo

1. PROJECT DESCRIPTION:

A. Project Name: Little Chico Creek Bicycle Path (Project MAJGC/12058-300-4150)

B. Project Location: The proposed project is located in T21N, R1E, Section 25, of the Chico Quadrangle, Butte County, CA, in the City's Southwest Planning Quadrant, primarily within the boundaries of the East 20th Street Community Park and within the west side of Highway 99 Caltrans right-of-way. The proposed project extends a total of approximately 3100 linear feet. The bike path begins at the existing bike path north of Little Chico Creek and the Humboldt Avenue/Clover Street intersection and extends 475 feet south over Little Chico Creek along the west side of Highway 99 within the Caltrans right-of-way into the East 20th Street Community Park. Upon entering the park, the bike path parallels Highway 99 for approximately 775 feet along the eastern park boundary to the northern parking lot. The remaining portion of the bike path extends 425 feet west from the parking lot between the softball and soccer fields and continues 1425 feet south along the western park boundary, ultimately terminating at the intersection of Cleveland Avenue/East 16thStreet/Guill Street and Chapman Elementary School (see Figure 1, Location Map).

C. Type of Application(s): City of Chico Capital Project (Nexus)

D. Assessor's Parcel Number(s): Caltrans right-of-way, approximately 475 linear feet; East 20th Street Community Park: 005-530-001, 005-530-002, 005-530-003, 005-530-004, and 005-540-029, approximately 2,625 linear feet.

E. Current General Plan Designation: Parks

F. Current City zoning: *Project Site:* OS-2 (Secondary Open Space) *Adjacent Parcels:* R1 (Low Density Residential), PQ (Public/Quasi Public Facilities)

G. Environmental Setting: An existing east/west Class I bicycle path extends from the Humboldt Avenue/Clover Street intersection, east under Highway 99 and continues parallel between Humboldt Road and Little Chico Creek. For approximately 475 linear feet, the portion of the proposed project that crosses over Little Chico Creek and extends to the East 20th Street Community Park

boundary is located in the California Department of Transportation (Caltrans) right-of-way. The proposed bridge crossing is located in a riparian setting. This section of Little Chico Creek, along the northern and southern creek banks, has undergone bank stabilization associated with Highway 99 improvements and the existing bicycle path undercrossing. To the west are low density residential uses. Highway 99 forms the project's north and eastern boundary.

Approximately 250 feet south of Little Chico Creek, the project alignment would would enter the boundaries of the East 20th Street Community Park, a public recreation facility equipped with softball and soccer fields, multi-purpose sports fields, picnic areas, playgrounds, tennis courts and gymnasium. Within the boundaries of the Park, portions of the proposed alignment include existing unpaved maintenance roads and unpaved and crushed gravel walking paths.

The bicycle corridor is predominantly flat. The northern end of the path runs perpendicular to Little Chico Creek. As expected, the elevations decrease into the Creek along the northern and southern channel boundaries.

H. Project Description: The project includes the following components:

The City plans to develop a Class I bicycle path between Little Chico Creek, through the East 20th Street Community Park to Chapman Elementary School. The bicycle path would extend from the existing Class I bicycle path (**Photo 1**) at the Humboldt Avenue/Clover Street intersection, over Little Chico Creek (**Photo 2**) to the north end of the East 20th Street Community Park (**Photo 3**). Once the project enters the boundaries of the park, the bicycle path would be located along the eastern park boundary, parallel to Highway 99 (**Photo 4**), traveling to the northernmost parking lot (**Photo 5**). The proposed project would then follow an unpaved walking path between the softball and soccer fields toward the western park boundary (**Photo 6**). The proposed project would then continue south along an existing crushed gravel path to its terminus at Chapman Elementary School (**Photos 7** and **8**).

The proposed bicycle path would be constructed consistent with Caltrans standards, where applicable and City of Chico Municipal Code, Title 18R, Design Criteria. The Class I bicycle path would have a minimum right-of-way of 12-feet (8 feet paved and 2 feet of graded shoulder on each side). The proposed path would provide connectivity between the Chapmantown neighborhood and Humboldt Avenue to bicycle lanes on East 20th Street and Dr. Martin Luther King Junior Parkway (formerly Whitman Avenue) and the Midway bicycle path. In turn, the construction of this bicycle path would provide connectivity for the southwestern quadrant to bicycle facilities extending east from Highway 99 along Humboldt Road and traveling to Forest Avenue and Bruce Road. The proposed bicycle path would provide facilities separate from existing roads for non-motorized use exclusively.

A clear-span bicycle/pedestrian bridge would cross Little Chico Creek, with improvements placed outside the ordinary high water mark. The proposed bicycle path would connect to the existing path/Highway 99 undercrossing on the north side of Little Chico Creek, loop around to the proposed clear-span bridge over Little Chico Creek and extend to the East 20th Street Community Park to the south. The clear-span bridge would be approximately 130 linear feet across and would be similar in appearance to other City bicycle/pedestrian bridges, such as the one crossing Big Chico Creek in Lower Bidwell Park near Manzanita Avenue (**Photo 9**).

The proposed Little Chico Creek Bicycle Path is intended to connect existing bicycle facilities and create safer conditions for cyclists, pedestrians, East 20th Street Community Park users, children accessing Chapman Elementary School, promote recreation and further develop and link bicycle facilities in the community. By connecting to existing bicycle paths, utilizing existing right-of-ways, and locating the bicycle path within areas already developed for recreational use, the project is designed to minimize the potential for environmental impacts. The proposed project is consistent with the Land Use, Transportation, and Parks, Public Facilities & Services Elements of the City's General Plan as well as the General Plan EIR and *Master Environmental Assessment*. The project is also consistent with the City's Capital Improvement Program and Chico Urban Area Bicycle Plan. It will be implemented in a manner that is consistent with the City's *Best Practices Technical Manual* and Municipal Code. The City intends to construct all facilities within one construction season.

The project is being funded by the Bicycle Transportation Account (BTA). The BTA provides State funds for city and county projects that improve safety and convenience for bicycle commuters. Competitive grant funding is awarded to eligible local agencies by the California Department of Transportation (Caltrans) on an annual basis. Eligible projects include new bikeways that serve major transportation corridors, secure bicycle parking, bicycle-carrying facilities on transit vehicles, installation of traffic control devices, planning, bikeway improvements, maintenance and hazard eliminations.

I. City Standards and Conditions of Approval

The City shall ensure the project adheres to relevant conditions of approval required by City regulations, Standard Mitigation and Monitoring Programs identified in the City's *Best Practices Technical Manual* and the project-specific mitigation measures, as set forth in this document.

Plans, specifications and/or construction contracts for the proposed project shall be consistent with relevant City regulations and standard conditions of approval. The following standards, regulations and conditions of approval are likely to apply to the proposed bicycle path:

1) Chico Municipal Code

A. Title 12: Parks and Playgrounds. This section includes provisions for properties designated as city parks and playgrounds including greenways adjoining Little Chico Creek.
B. Title 16: Buildings and Construction. This section includes Building, Grading, Floodplain and Tree Preservation Regulations.
C. Title 16R: Building Standards. This section adopts the standards of the Uniform Building Code (UBC) and the California Building Code (CBC). Projects must implement appropriate BMPs that shall "safeguard … life, health, property, safety … and environment."
D. Title 18R: Design Criteria and Improvement Standards. This section provides design criteria for "other public ways" including bicycle paths and pedestrian ways.
E. Title 19: Land Use and Development.

2) Best Practices Technical Manual

A. Implementation Guide for Project Review:
- Requires compliance with Chico Municipal Code Chapter 1.4 (Environmental Review Guidelines)

B. Standard Mitigation and Monitoring Program for Air Quality:
- Requires incorporation of pertinent BMPs during construction activities.

C. Standard Mitigation and Monitoring Program for Raptor Habitat:
- Requires compliance with the federal Migratory Bird Treaty Act and state Fish and Game code protecting raptors.

D. Standard Mitigation and Monitoring Program for Creekside Greenways:
- Requires relevant management practices for projects proposed near creekside greenways identified in General Plan.

E. Standard Mitigation and Monitoring Program for Oaks and Other Trees:
- Regulations for potential impacts to City-owned trees, specifications for tree work and tree protection specifications.

F. Standard Mitigation and Monitoring Program for Wetlands:
- Standard includes adherence to all federal, state and regional requirements prior to project approval.

G. Standard Mitigation and Monitoring Program for Cultural Resources:
- Sets forth requirements for the protection of general, archaeological and historic cultural resources within the City.

H. Standard Mitigation and Monitoring Program for Stormwater Management:
- CASWP and NPDES from Regional Board (if applicable).
- Standard Conditions: No net increase of volume/rate of runoff, long-term funding for all stormwater facilities and appropriate BMPs to intercept "first flush" contaminants from initial ½-inch of each rainfall event.
- Municipal Code 16R.22: Grading plans and contracts shall include appropriate measures, including sediment control, BMPs, setbacks, runoff control, revegetation, slope stabilization, protection of watercourses and/or disposal of cleared material and fill.

3) Storm Water Management Program

In compliance with state and federal water quality regulations, the City has developed a Storm Water Management Program (SWAP). The SWAP was developed in compliance with the Phase II NPDES permitting regulations established by the EPA in 1999. The SWAP consists of six elements: Public Education/Outreach, Public Participation/Involvement, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post-Construction Stormwater Management and Pollution Prevention/Good Housekeeping (Municipal Operations). The proposed project shall adhere to relevant and practicable standards and regulations identified in the SWAP, including implementation of BMPs and development of a SWPPP.

4) BMPs (Best Management Practices)

Implemented, where practicable and relevant, include (but are not limited to):
- Staging Areas: These areas will be located away from sensitive biological resources, habitat, water features, et cetera.

- Watering Construction Sites: To control fugitive dust emissions (which, otherwise, could impact air quality and biological resources).
- Fenced/Cordoned-Off Areas of Biological Sensitivity: To ensure avoidance of intrusion in these areas.
- Employee Education: To illuminate the importance of biological resources within the project area, appropriate avoidance measures and potential penalties for generating impacts to special-status biological resources.
- Erosion, Siltation and/or Stormwater Measures: Shall ensure construction activity and long-term water quality protection.

J. Public Agency Approvals:

1) California Department of Transportation (Caltrans) Encroachment Permit

Responsible Agency: The use of California State highways for other than normal transportation purposes may require written authorization from the Department of Transportation. As the responsible agency for protecting the public's investment in the State highway system, Caltrans reviews all requests to conduct various activities within the right of way.

2) California Department of Fish and Game (DFG)

Trustee Agency: DFG serves as a trustee agency to the fish and wildlife of the state, to designated rare or endangered native plants, ant to game refuges, ecological reserves, and other areas administered by the department. DFG is consulted by the CEQA lead agency when a project involves resources under the Department's jurisdiction.

Responsible Agency: The project would require acquisition of a Streambed Alteration Agreement or a waiver thereof (per Section §1600 of the California Fish and Game Code). Additionally, the project would require DFG consultation due to the presence of listed species per the California Endangered Species Act (CESA).

3) Central Valley Regional Water Quality Control Board

Responsible Agency: The project would require a Construction Activity Storm Water Permit, with an approved Stormwater Pollution Prevention Plan (SWPPP), per Section §402 of the Clean Water Act.

4) Central Valley Flood Protection Board

Responsible Agency: Approval by the Board is required for projects or uses which encroach into rivers, waterways, and floodways within and adjacent to federal and State authorized flood control projects and within designated floodways adopted by the Board.

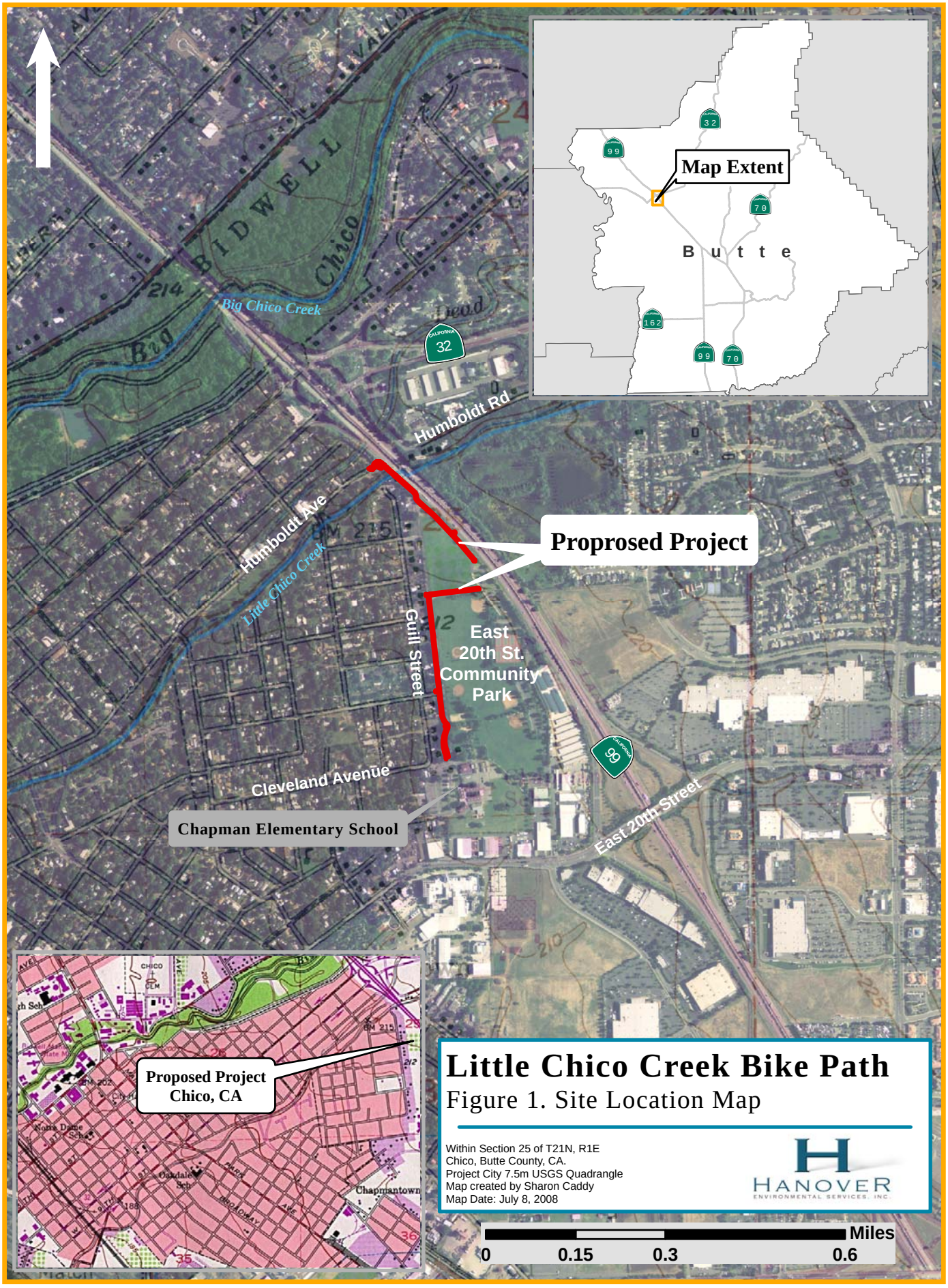
K. Applicant: City of Chico, Capital Project Services Department
411 Main Street, Chico, CA.

L. Initiated By: City of Chico, Capital Project Services Department
411 Main Street, Chico, CA

Contact: Tracy Roemer Bettencourt, Senior Planner, Capital Project Services Department

Prepared By: Hanover Environmental Services, Inc. (Consultant)
Kamie Loeser, Senior Planner

Westerly Bridge



Little Chico Creek Bike Path

Figure 1. Site Location Map

Within Section 25 of T21N, R1E
Chico, Butte County, CA.
Project City 7.5m USGS Quadrangle
Map created by Sharon Caddy
Map Date: July 8, 2008

HANOVER
ENVIRONMENTAL SERVICES, INC.

Photo 1 – Existing Class I Bicycle Path undercrossing at Highway 99.

Photo 2 – Area of proposed Little Chico Creek clear-span bridge crossing.

Photo 3 – Proposed bicycle path entrance into northern area of East 20th Street Community Park.

Photo 4 – Proposed bicycle path along western park boundary, parallel to Highway 99 (looking north from parking lot).

Photo 5 – Proposed bicycle path to extend to northern parking lot.

Photo 6 – Existing unpaved path between softball and soccer fields.

Photo 7 – Existing crushed gravel path along western park boundary.

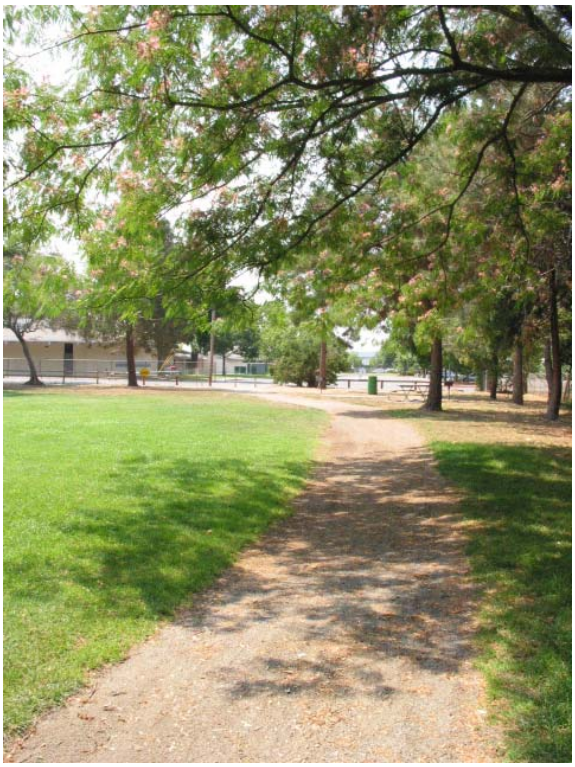


Photo 8 – Terminus of proposed bicycle path at Chapman Elementary School (background).

Photo 9 – Example design of clear-span bridge; located in Lower Bidwell Park near Manzanita Avenue.

2. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

[ ] Aesthetics	[ ] Hazards /Hazardous Materials	[ ] Public Services
[X] Air Quality	[X] Hydrology/ Water Quality	[ ] Population/ Housing
[X] Biological Resources	[ ] Land Use and Planning	[ ] Transportation/Circulation
[X] Cultural Resources	[ ] Noise	[ ] Utilities
[ ] Geology /Soils	[ ] Open Space/Recreation	

3. PLANNING DIRECTOR DETERMINATION:

On the basis of this initial evaluation:

[ ] I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

[X] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

[ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

[ ] I find that the proposed project MAY have a potentially significant impact or have a potentially significant impact unless mitigated, but at least one effect has been adequately analyzed in an earlier document pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

[ ] I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION including revisions or mitigation measures that are imposed upon the proposed project. No further study is required.

_____ _____
Signature Date

_____ For Stephen Peterson, Planning Director
Printed Name

4. EVALUATION OF ENVIRONMENTAL IMPACTS:

- Responses to the following questions and related discussion indicate if the proposed project will have or potentially have a significant adverse impact on the environment.

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question. A "No Impact' answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis.

- All answers must take account of the whole action involved , including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operation impacts.

- Once it has been determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there is at least one "Potentially Significant Impact" entry when the determination is made an EIR is required.

- Negative Declaration: "Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The initial study will describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 4, "Earlier Analysis," may be cross-referenced).

- Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 155063(c)(3)(D)]. Earlier analyses are discussed in Section 4 at the end of the checklist.

- Initial studies may incorporate references to information sources for potential impacts (e.g. the general plan or zoning ordinances, etc.). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list attached, and other sources used or individuals contacted are cited in the discussion.

- The explanation of each issue should identify:
  a) The significance criteria or threshold, if any, used to evaluate each question: and
  b) The mitigation measure identified, if any, to reduce the impact to less than significant.

A. Aesthetics: Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista, including scenic roadways as defined in the General Plan, or a Federal Wild and Scenic River (Big Chico Creek)?			X	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
3. Affect lands preserved under a scenic easement or contract?			X	
4. Substantially degrade the existing visual character or quality of the site and its surroundings including the scenic quality of the foothills as addressed in the General Plan?			X	
5. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

DISCUSSION:

A.1 – A.5: There are no designated scenic vistas or scenic highways in the proximity of the project. In addition, there are no prominent rock outcroppings, or historic buildings on the site or abutting the site that would be impacted by the proposed project. The project is a bicycle path and does not include the construction of vertical structures that could degrade the aesthetic qualities of the area (Little Chico Creek); therefore, visual changes would be minimal. The bridge crossing design would reflect other creek crossing corridors similar to those in the City's parks. The proposed project would require the removal of one tree to the north of the existing bicycle path and Little Chico Creek. Minor trimming of existing trees and shrubs may occur for construction access and to maintain adequate vertical clearance for the bicycle path. However, this is not expected to degrade the visual character of the project corridor. The project will adhere to the City's replanting requirements where applicable to mitigate potential impacts to trees within the project corridor. Potential impacts to riparian vegetation would also be required to adhere to DFG mitigation planting requirements per §1600 of the Fish and Game Code (refer to Section C, Biological Resources, of this document for further discussion).

The bridge would be constructed according to City standards identified in Titles 12, 16, 18R and 19 of the Municipal Code and the relevant Community Design goals of the General Plan.

As the proposed project is a bicycle path, it would not introduce substantial light-generating facilities to the area. The project does propose to relocate an existing security lamp to allow the path to tie in to the existing bicycle path. However, this would not be considered a new source of light. As a whole, the proposed project would not introduce substantial light-generating facilities to the area. In addition, the facilities would be designed pursuant to City standards identified in Chapter 19 of the Municipal Code (Land Use and Development). Adherence to City lighting standards identified in 19.60.050 and 19.66 of the Municipal Code ensures less than significant potential effects generated by light-emitting facilities.

The proposed project would not incorporate highly reflective materials or vertical facilities that could generate substantial glare.

As such, potential aesthetic impacts resulting from the proposed project would be **less than significant**.

MITIGATION: None required.

B. Air Quality: Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plans (e.g. Northern Sacramento Valley Air Basin 1994 Air Quality Attainment Plan, Chico Urban Area CO Attainment Plan, and Butte County Air Quality Management District Indirect Source Review Guidelines)?			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
4. Expose sensitive receptors to substantial pollutant concentrations?			X	
5. Create objectionable odors affecting a substantial number of people?			X	

DISCUSSION:

Criteria Air Pollutants

State and federal air emission standards have been established for six criteria pollutants: carbon monoxide (CO), Ozone (O_3), particulate matter 10 microns or less (PM_{10}) and 2.5 microns or less in diameter ($PM_{2.5}$), oxides of nitrogen (NO_X), sulfur dioxide (SOX) and Lead. Ozone is not directly emitted by sources. Rather it is the product of reactive organic compounds (ROG), NO_X and atmospheric conditions. Therefore, ROG and NO_X, which are most commonly generated by motor vehicle emissions, are considered O_3 precursors.

In the Sacramento Valley Air Basin (SVAB), the Butte County Air Quality Management District (BCAQMD) is responsible for administration of air quality standards and ensuring that emission standards and rules are not violated. Under the California Clean Air Act, Butte County has been designated a non-attainment area for two criteria pollutants, O_3 and PM_{10} and $PM_{2.5}$, based on state and/or federal standards.

The BCAQMD has established action-level thresholds, labeled A, B and C to assist in evaluating the amount of mitigation a project must implement to successfully reduce potential air quality impacts from indirect sources. Level A represents the lowest emissions while Level C generates the most. According to the BCAQMD *CEQA Air Quality Handbook* (BCAQMD, 2008), any project which has the potential to emit the Level A thresholds would be subject to Standard Mitigation Measures (SMM). SMM are recommended to reduce air quality impacts to a level of insignificance. Projects that are expected to exceed Level A thresholds must also implement all feasible best available mitigation

measures (BAMM) tailored to the type of project being proposed. These measures are intended to reduce ROG, NO_X, and PM_{10} emissions before, during and after construction.

B.1 – B.2: Since the proposed project would not create a source of new vehicle traffic, such as a new housing development or commercial use that would generate new vehicle trips to the local roadways, no long-term air quality impacts (ozone precursors, PM_{10}) related to motor vehicle emissions would occur.

The proposed project is expected to improve pedestrian and cycling conditions in the project area. These improved conditions would provide more direct access to Chapman Elementary School, East 20th Street Community Park and the City's bicycle network. Increased bicycle and pedestrian commutes within the project area would be expected to reduce the generation of criteria pollutants over pre-project conditions.

Construction-related activities can create temporary increases in fugitive dust emissions within the immediate vicinity of the project site. Per General Plan Implementing Policy OS-I-8, the City requires the inclusion of dust suppression measures in all grading plans.

The City's General Plan EIR, in accordance with applicable regulations, sets forth mitigation measures that are intended to reduce fugitive dust generated by construction activities. Approval from the Building and Development Services Department and Capital Project Services Department is further contingent on adherence to any other appropriate guidelines at the local, state and federal levels, including the CBC as adopted by the Chico Municipal Code.

Construction-related activities may also result in short-term exhaust emissions from the combustion of fuel during construction. However, General Plan Implementing Policy OS-I-9 identifies measures intended to reduce construction-related exhaust emissions.

Therefore, potential air quality impacts are expected to occur at levels considered **less than significant.**

MITIGATION: None required.

B.3: The proposed project would result in short-term pollutant emissions from excavation and by construction-related activities, such as ozone precursors and particulate matter and GHG carbon dioxide from fuel combustion. Construction-related activities, such as grading and operation of construction vehicles, would create a temporary increase in fugitive dust emissions on the project site and within the immediate vicinity of the project site. According to the BCAQMD, Butte County is classified as a "moderate" non-attainment area for ozone and particulate matter 10 microns in size or less (PM_{10}). Most of the dust generated would be large enough to quickly settle. In addition, due to the limited amount of ground disturbance along the bike corridor, and because the majority of the proposed bike path would occur within areas that serve as maintenance access roads and pedestrian paths, the amount of grading necessary would be minimal. The City General Plan contains implementing policies that encourage the inclusion of dust suppression measures (OS-I-8) and appropriate measures intended to reduce construction-related exhaust emissions (OS-I-9). Grading policies are enforced through the City Municipal Code Grading Ordinance (MC 16.22), which was adopted "to safeguard life, property and the environment from the hazards and effects of grading work performed within the city." The City's *Best Practices Technical Manual* identifies the Standard Mitigation and Monitoring Program for projects that may generate air quality impacts through construction-related exhaust emissions. Construction of the proposed bicycle path could result in contributions of PM10 and ozone levels in a moderate non-attainment area. To ensure adequate reduction of potential air quality impacts resulting from construction activities, the City will implement the following mitigation measure:

MITIGATION MEASURE B.1. (Air Quality): To minimize fugitive dust and exhaust emissions during construction activities, the following shall be included in all construction plans and documents for the project:

a. Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil conditions, and wind exposure.
b. If necessary, apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days) to control dust emissions. Dust emissions should be controlled at the site for both active and inactive construction areas throughout the entire construction period (including holidays).
c. Limit vehicle speeds to 15 mph on unpaved roads.
d. Suspend land clearing, grading, earth moving, or excavation activities when wind speeds exceed 20 mph.
e. If applicable, apply non-toxic binders (e.g. latex acrylic copolymer) to exposed areas after cut and fill operation and hydroseed the area.
f. Cover inactive storage piles.
g. Project applicant shall consult with the Butte County Quality Management District about the application of a paved (or dust palliative treated) apron onto the project site.
h. Sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities.
i. Post a publicly visible sign at the construction site with the name and telephone number of the person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD rules 201 and 207 (Nuisance and Fugitive Dust Emissions).
j. Prior to final occupancy/use, the applicant shall demonstrate that all ground surfaces are treated sufficiently to minimize fugitive dust emissions. Fugitive dust emissions are considered dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces.
k. Exhaust emissions shall be minimized by maintaining equipment in good repair and proper tune according to the manufacturer's specifications.
l. If construction activities occur during smog season (May-October), equipment will not be allowed to idle for long periods of time.

The standard conditions listed above will be specified in applicable project plans and construction contract requirements. The Building and Development Services Department and Capital Project Services Department shall regularly conduct inspections to verify compliance.

In addition to the City's Standard Mitigation and Monitoring Program, the project would be required to obtain a Construction Activity Storm Water Permit from the Central Valley Regional Water Quality Control Board (CVRWQCB), which would include site-specific, sediment transport and fugitive dust controls.

The long-term operation of a bike path would serve to reduce vehicle-related air emissions through increased use of alternative transportation. Therefore, the potential for this project to result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment is **less than significant.**

B.4: Children, elderly people, and acutely or chronically ill people are affected more intensely by elevated concentrations of air pollutants and as a result are considered "sensitive receptors." Construction of the bike path would result in brief periods of elevated pollutant concentrations in proximity to recreational facilities at East 20th Street Community Park, the backyard of residences along Guill Street, and northwestern corner of Chapman Elementary School. Implementation of Mitigation Measure B.1 pertaining to emissions associated with fugitive dust and exhaust emissions

during construction activities would minimize the exposure of sensitive receptors to pollutant concentrations; air quality impacts would be maintained at a level that is **less than significant**.

MITIGATION: None required.

B.5: The project is not expected to create significant odors beyond the short-term odors associated with normal construction activities. Impacts would be **less than significant.**

MITIGATION: None required.

C.	Biological Resources: Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species as listed and mapped in the MEA or in other local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
2.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the MEA or in other local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.		X		
3.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
4.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
5.	Result in the fragmentation of an existing wildlife habitat, such as blue oak woodland or riparian, and an increase in the amount of edge with adjacent habitats.			X	
6.	Conflict with any local policies or ordinances, protecting biological resources?			X	

DISCUSSION:

The City's *Master Environmental Assessment* (MEA) provides a discussion of the various biotic communities within the City's planning area. The portion of the proposed project within the boundaries of the East 20th Street Community Park is identified in the MEA as "park" (MEA Figure 6-1), which is described as open space areas that are predominantly landscaped. According to the MEA:

> *Vegetation in these areas includes large expanses of turf with non-native tree species as well as landscaped areas, although some native trees have been successfully retained within the City's parks. Because of the non-native cover and frequent human disturbance (noise and human intrusion), wildlife usage is low and includes those species which readily adapt to non-native vegetation and tolerate regular disturbance. Wildlife observed in park habitats include the northern mockingbird (Mimus polyglottos), American robin (Turdus migratorius), scrub jay (Aphelocoma coerulescens), European starling, American crow (Corvus brachyrhynchos), lesser goldfinch, gray squirrel, and California ground squirrel. Other wildlife that may occur in park habitats include the raccoon (Procyon lotor), opossum (Didelphys virginiana), Pacific treefrog (Hyla regilla), and western toad (Bufo boreas). No special status species are associated with these habitats (MEA Figure 6-2); these areas provide only limited value as wildlife habitat.*

However, given that the proposed project crosses Little Chico Creek and the potential presence of special-status biological resources in the area of the creek, a Biological Resources Assessment (BRA) was prepared for the proposed project. The BRA was prepared by Hanover Environmental Services, Inc. (Hanover) in May, 2008.

During preparation of the BRA, several data sources were consulted to identify special-status biological resources potentially occurring within the project area. Data sources included the Chico General Plan, MEA and Best Practices Technical Manual, the California Natural Diversity Database (CNDDB), the USFWS and CNPS. A list of recorded occurrences of special-status species was compiled from the CNDDB data. Biological field surveys were conducted by Hanover staff to evaluate the project site's physical characteristics. Each potentially occurring special-status species identified during preliminary consultation was then evaluated for its potential to occur within the project site. The following biological resources are identified as occurring, or having at least a moderate potential to occur, within the project site:

Table 1: Potentially Occurring Special Status Species

Species	Status	Potential
Sensitive Natural Communities		
Great Valley/Oak Riparian Forest		Occurs in the northern portion of the project corridor
Invertebrates		
Valley elderberry longhorn beetle	FT	High: Suitable habitat present in the project area
Fish		
Central Valley Spring-run Chinook Salmon	FT/ST	High: Suitable habitat is within designated critical habitat
Central Valley steelhead	FT/ST	High: Suitable habitat is within designated critical habitat
Birds		
Raptors/Migratory birds	Varies	High: Suitable foraging/nesting habitat
***Notes:* FT=Federally Threatened; ST=State Threatened**		

The above listed biological resources are protected at varying levels by local, state and/or federal regulations and policies.

The northern portion of the proposed bicycle path corridor is located within the riparian corridor of Little Chico Creek. This area is identified as a Great Valley Mixed Riparian Forest, which is a Sensitive Natural Community per California Department of Fish and Game (DFG) guidelines.

Little Chico Creek is identified as anadromous fish habitat by the United States Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NOAA-NMFS or NOAA Fisheries) and DFG. Specifically, the segment of Little Chico Creek that bisects the project site is identified as potential habitat for Central Valley Spring-run Chinook salmon and Central Valley steelhead. Both species are state and federally listed as threatened.

The two anadromous species are found throughout the Sacramento River and associated freshwater tributaries with habitat occurring within Little Chico, Big Chico, Sycamore and Mud Creeks. The segment of Little Chico Creek within the project site is within the designated Critical Habitat for these species as identified by NOAA Fisheries.

The valley elderberry longhorn beetle (VELB) is a federally threatened species. The beetle is commonly found near riparian habitats within the Central Valley. However, this species' range spans the Sierra foothills, and may reach elevations of 2,200 feet. VELB uses elderberry shrubs solely to incubate its larvae. For this reason, elderberry shrubs are considered habitat for this species. Within the boundaries of East 20th Street Community Park, one elderberry shrub occurs within close proximity to the proposed bicycle path corridor.

Little Chico Creek is considered "waters of the United States." The term "waters of the United States" is an encompassing term that includes "wetlands" and "other waters." Wetlands have been defined for regulatory purposes as follows: "Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." Other waters of the United States are seasonal or perennial water bodies, including lakes, stream channels, drainages, ponds, and other surface water features, that exhibit an ordinary high-water mark but lack positive indicators for one or more of the three wetland parameters (i.e. hydrophytic vegetation, hydric soil, and wetland hydrology) (33 CFR 328.4).

Relative to biological resources, the project is proposed in a regulatory context that includes local, state and federal jurisdictions. The following standards, guidelines and regulations are likely applicable to the proposed project as it pertains to special-status biological resources that may occur in the project area:

Local Regulations

Chico Municipal Code

- Title 16 (Buildings and Construction): Building, Grading, Floodplain and Tree Preservation Regulations.

- Title 16R (Building Standards): Adopts the standards of the Uniform Building Code (UBC) and California Building Code (CBC). Projects must implement appropriate BMPs that shall "safeguard…life, health, property, safety…and environment."

- Title 18R (Design Criteria and Improvement Standards): Provides design criteria for "other public ways" including bicycle paths and pedestrian ways.

City of Chico Best Practices Technical Manual (BPTM)

- Implementation Guide for Project Review: Requires compliance with Chico Municipal Code Chapter 1.4 (Environmental Review Guidelines)

- Standard Mitigation and Monitoring Program for Air Quality: Requires incorporation of pertinent BMPs during construction activities.

- Standard Mitigation and Monitoring Program for Storm Drain Outfalls, Stream Crossings, or Other Intrusions into a Creek: Requires acquisition of appropriate permits/approvals from

the United States Army Corps of Engineers, Regional Water Quality Control Board, and Department of Fish and Game.

- Standard Mitigation Measure Where Removal of Riparian Vegetation Occurs: Requires avoidance of vegetation impacts to the extent feasible and mitigation plantings for unavoidable losses.

- Standard Mitigation and Monitoring Program for Raptor Habitat: Requires compliance with the federal Migratory Bird Treaty Act and California Fish and Game Code for protecting raptors.

- Standard Mitigation and Monitoring Program for Creekside Greenways: Requires relevant BMPs for projects proposed near creekside greenways identified in General Plan.

- Standard Mitigation and Monitoring Program for Oaks and Other Trees: Regulations for potential impacts to City-owned trees, specifications for tree work and tree protection specifications.

- Municipal Code 16R.22: Grading plans and contracts shall include appropriate measures, including sediment control, BMPs, setbacks, runoff control, re-vegetation, slope stabilization, protection of watercourses, disposal of cleared material and fill.

- BMPs: Implemented where practicable and relevant include, but are not limited to:

    - Staging Areas: These areas will be located away from sensitive biological resources, habitat, water features, et cetera.

    - Watering Construction Sites: To control fugitive dust emissions (which, otherwise, could impact air quality and biological resources).

    - Fenced/Cordoned-Off Areas of Biological Sensitivity: To ensure avoidance of intrusion in these areas.

    - Employee Education: To illuminate the importance of biological resources within the project area, appropriate avoidance measures and potential penalties for generating impacts to special-status biological resources.

    - Erosion, Siltation and/or Stormwater Measures: Shall ensure construction activity and long-term water quality protection.

City of Chico General Plan

- General Plan Elements set forth guidelines and policies that guide development processes. The project would be required to obtain all necessary agency approvals and permits and implement appropriate BMPs and design standards, as set forth in the General Plan and identified throughout this study.

City of Chico Storm Water Management Program

- In compliance with state and federal water quality regulations, the City has developed a Storm Water Management Program (SWAP). The SWAP was developed in compliance with the Phase II NPDES permitting regulations established by the EPA in 1999. The SWAP consists of six elements: Public Education/Outreach, Public Participation/Involvement, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post-Construction Stormwater Management and Pollution Prevention/Good Housekeeping (Municipal Operations). The proposed project shall adhere to relevant and practicable

standards and regulations identified in the SWAP, including implementation of BMPs and development of a SWPPP.

Public Agency Approvals

California Department of Transportation (Caltrans) Encroachment Permit

- *Responsible Agency:* The use of California State highways for other than normal transportation purposes may require written authorization from the Department of Transportation. As the responsible agency for protecting the public's investment in the State highway system, Caltrans reviews all requests desiring to conduct various activities within the right of way.

California Department of Fish and Game (DFG)

- *Trustee Agency:* DFG serves as a trustee agency to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department. DFG is consulted by the CEQA lead agency when a project involves resources under the Department's jurisdiction.

- *Responsible Agency:* The project would require acquisition of a Streambed Alteration Agreement or a waiver thereof (per Section §1600 of the California Fish and Game Code). Additionally, the project would require DFG consultation due to the presence of listed species per the California Endangered Species Act (CESA).

Central Valley Regional Water Quality Control Board

- *Responsible Agency:* The project would require a Construction Activity Storm Water Permit, with an approved Stormwater Pollution Prevention Plan (SWPPP), per Section §402 of the Clean Water Act.

Central Valley Flood Protection Board

- *Responsible Agency:* Approval by the Board is required for projects or uses which encroach into rivers, waterways, and floodways within and adjacent to federal and State authorized flood control projects and within designated floodways adopted by the Board.

United States Fish and Wildlife Services

- *Responsible Agency:* The project would require concurrence from USFWS that the proposed project's construction activities would not result in impacts to the valley elderberry longhorn beetle.

C.1 – C.2, C.4 – C.6:

Riparian

The portion of the proposed project that is located within the vicinity of Little Chico Creek is in a riparian setting that is designated by the DFG as a sensitive natural community and Resource Management Area in the MEA. The proposed project, through avoidance of impacts to sensitive natural resources would remain consistent with General Plan Open Space and Environmental Conservation goals OS-G-6 and OS-G-7, which promote protection of sensitive natural resources. Facilities proposed in the area of riparian vegetation include an asphalt pathway and a clear-span pedestrian/bicycle crossing of Little Chico Creek. The project would construct facilities within the riparian corridor adjacent to Little Chico Creek. The project proposes removal of one tree on the northern bank of Little Chico Creek. The tree would be removed to allow the installation of the pedestrian/bicycle crossing outside of the Creek's ordinary high water mark. Additionally, several trees would require trimming to ensure adequate vertical clearance of the proposed crossing of Little Chico Creek. To ensure that impacts are reduced to a less than significant level, the following mitigation measure shall be applied:

MITIGATION MEASURE C.1 (Biological Resources): Prior to the issuance of a grading permit, a Streambed Alteration Agreement shall be obtained from DFG, pursuant to Section 1600 of the

California Fish and Game Code, for any activities affecting bed, bank, or associated riparian vegetation of the stream. If required, the project applicant shall coordinate with DFG in developing appropriate mitigation, and shall abide by the conditions of any executed permits.

MITIGATION MONITORING C.1 (Biological Resources): Prior to the commencement of construction activities, the City's Capital Project Services Department will coordinate with the consulting biologist to ensure the timely initiation of the above mitigation measure.

Through adherence to Mitigation Measure C.1, the City's Best Practices Technical Manual Standard Mitigation Measure Where Removal of Riparian Vegetation Occurs and all mitigation measures identified in this study, the project would generate potential riparian impacts that are **less than significant with mitigation incorporated.**

Special-Status Species: Valley Elderberry Longhorn Beetle
One elderberry shrub, host plant to the federally threatened VELB (*Desmocerus californicus dimorphus*), occurs within close proximity of the proposed project corridor. This shrub is located within the boundaries of East 20th Street Community Park. Although this shrub occurs within 100 feet of proposed construction activities, the proposed project as currently designed will not impact VELB.

The City's Best Practices Technical Manual requires implementation of a plan that sets forth appropriate avoidance measures for sites that may be occupied by VELB. These measures are required to ensure avoidance of potential impacts to the species. At a minimum, site specific VELB avoidance plans must include the following measures:

- All elderberry shrubs shall be avoided during construction activities.
- Elderberry shrubs shall be fenced or flagged during construction activities.
- Prior to initiation of construction, contractors and work crews shall be briefed on the need to avoid damaging elderberry plants and the possible penalties for not complying with these requirements. If necessary, the City shall hire a qualified firm to conduct these briefing(s).
- Signs shall be erected every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment."
- The project shall not result in impacts, including damage, removal or modification, to elderberry shrubs.

The plans, specifications and contracts for the proposed project would be reviewed for compliance with the BPTM as a standard condition of approval. It is anticipated that impacts to VELB would be less than significant; however, concurrence from the USFWS verifying the lack of potential disturbance to the elderberry shrub will be required, to ensure that potential impacts to VELB are avoided.

MITIGATION MEASURE C.2 (Biological Resources): Prior to the initiation of construction activities, a concurrence letter from USFWS will be requested to ensure that potential impacts to VELB are appropriately minimized or avoided and that no impacts to VELB would occur. If required by the USFWS, the project applicant shall coordinate with USFWS in developing appropriate mitigation and shall abide by any conditions set forth.

MITIGATION MONITORING C.3 (Biological Resources): Prior to commencement of construction activities, Capital Project Services shall ensure that the USFWS concurs with the finding that no impact to VELB would occur as a result of project construction activities.

Through acquisition of concurrence from the USFWS and adherence to all applicable City BMPs, the proposed project result in potential impacts to VELB that are considered **less than significant with mitigation incorporated.**

Special-Status Species: Central Valley Spring-run Chinook Salmon and Central Valley Steelhead
Central Valley Spring-run Chinook salmon and Central Valley steelhead, which are listed as threatened at the state and federal levels, are known to occur in Little Chico Creek. Furthermore, the lower portion of Little Chico Creek is designated as Critical Habitat by USFWS for both anadromous species and Essential Fish Habitat by NOAA Fisheries. Based on the current project design, no construction activities or structures would occur or be placed below the ordinary high water mark of Little Chico Creek. This avoids and minimizes potential impacts to these protected resources. Therefore, impacts are considered **less than significant**.

Raptors and Migratory Birds
Raptors, such as hawks and owls, may nest in the large trees within the project site. The disturbance, removal or destruction of active raptor nests is considered a violation of the California Fish and Game Code Section 3503.5.

The Migratory Bird Treaty Act (MBTA) protects migratory birds, their occupied nests and eggs. The mature trees and riparian habitat in the project area provide nesting habitat for raptors and migratory birds. Activities, including noise generated by construction equipment, associated with the development of the proposed facilities could negatively affect these special-status birds. Therefore, the following mitigation is required:

MITIGATION MEASURE C.4 (Biological Resources): If construction is proposed during the nesting season (February 15th through September 15th), a pre-construction survey for raptors shall be conducted by a qualified biologist within 30 days prior to the onset of construction activities to determine if active nests are in the study area. If active nests are found, no construction activities shall take place within 500 feet of the nests until the young have fledged, to be determined by a qualified biologist. If no active nests are found during the focused survey, no further mitigation will be required for nesting raptors or migratory birds. If construction is proposed during the non-nesting season, no surveys are required.

MITIGATION MONITORING C.4 (Biological Resources): Prior to commencement of construction activities, Capital Project Services will coordinate with the City's consulting biologist to ensure the timely initiation of the above mitigation measure.

The incorporation of Mitigation Measure C.4 into the project development process would reduce the potential for impacts to nesting raptors and migratory birds to levels that are considered **less than significant with mitigation incorporated.**

C.3:
Jurisdictional Waters
The proposed project would construct a clear-span pedestrian/bicycle bridge over Little Chico Creek. The bridge is designed, and will be installed, in a manner that is consistent with Titles 16 and 18R of the Chico Municipal Code and the UBC and CBC. Through the adherence to Titles 16 and 18R and the UBC/CBC, including implementation of relevant BMPs, the proposed clear-span bridge would avoid direct and indirect impacts to waters of the United States (waters of the US) and waters of the State. Therefore, impacts associated with waters of the US are considered **less than significant**.

MITIGATION: None required.

D. Cultural Resources: Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of an historical resource as defined in PRC Section 15064.5?			X	
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to PRC Section 15064.5?			X	
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			X	
4. Disturb any human remains, including those interred outside of formal cemeteries?			X	

DISCUSSION:

D.1 – D.4: The proposed bicycle path alignment is located within areas that have been previously disturbed by land use improvements, such as the construction of Highway 99, the existing bicycle path undercrossing and development of East 20th Street Community Park. A portion of the proposed project is located within the Caltrans right-of-way and the boundaries of the East 20th Street Community Park where it follows an alignment that is currently used by maintenance vehicles and pedestrians. Because these areas have been previously disturbed by roadway and land use improvements, there are no known significant cultural resources that could be impacted by the proposed project. However, unknown cultural resources could be uncovered during grading and other earth-moving activities at the project site. Thus, the project would be subject to the following Standard Mitigation and Monitoring Program for Cultural Resources:

Standard Program: Pursuant to the City of Chico's Standard Mitigation And Monitoring Program for cultural resources, as identified in Section IV.A and IV.B of the *Best Practices Technical Manual*, a note shall be placed on all construction plans which informs the construction contractor that if any potential archaeological, cultural or paleontological resources are encountered during construction, such as bones or pottery fragments, all work shall cease within the area of the find pending an examination of the site and materials by a professional archaeologist. The archaeologist will assess the significance of the find and prepare appropriate mitigation measures for review by Capital Project Services. All mitigation measures determined by Capital Project Services to be appropriate for this project shall be implemented pursuant to the terms of the archaeologist's report.

Monitoring: Capital Project Services staff will verify that the above wording is included in project plans, construction contracts and documents. Should potential resources be encountered, the supervising inspector will be responsible for reporting any such findings to the Capital Project Services, and a qualified archaeologist will be contacted to conduct meetings with on-site employees and monitor the referenced mitigation measures.

Grading and construction activities could unearth previously unidentified human remains. To ensure that potentially significant impacts to newly discovered human remains are avoided, the following Standard Mitigation and Monitoring Program measure would apply:

Standard Program: Pursuant to State Health and Safety Code section 7050.5, if human remains are unearthed during construction, the construction contractor must cease work within 100-feet of the discovery and notify the County Coroner. No further disturbance may occur until the Coroner,

in consultation with the Native American Heritage Commission, has made the necessary findings as to the origins and disposition pursuant to Public Resource Code §5097.98 and 5097.99 and the Native American Graves Protection and Repatriation Act (NAGPRA). Compliance with the City's Standard Mitigation and Monitoring Program, which ensures compliance with state and federal laws and regulations, ensures potential impacts to newly discovered human remains would be less than significant.

Monitoring: The Capital Project Services will ensure that the above wording is incorporated into project plans and construction contracts and documents.

The proposed project would not generate potential impacts to known cultural resources. Implementation of the Standard Mitigation and Monitoring Programs, as set forth in the *Best Practices Technical Manual* and identified in this Initial Study, would ensure potential impacts to currently unidentified cultural resources/human remains occur at **less than significant** levels.

E.	Geology / Soils: Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
	b. Strong seismic ground shaking?			X	
	c. Seismic-related ground failure, including liquefaction?			X	
	d. Landslides?				X
2.	Result in substantial soil erosion or the loss of topsoil?			X	
3.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
4.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
5.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, or is otherwise not consistent with the Chico Nitrate Action Plan or policies for sewer service control?				X

DISCUSSION:

A portion of the project is located north of Little Chico Creek; however, the main extent of the bicycle path is predominantly located south of Little Chico Creek and west of Highway 99 within the boundaries of East 20th Street Community Park. The Natural Resources Conservation Service (NRCS) identifies the proposed project crossing three soil map units: Almendra Loam, Vina Fine Sandy Loam and Chico Loam. These soils consist of very deep, well drained soils that occur within alluvial fans and floodplains, with slopes from 0 to 1 percent. Similarly, the City's General Plan MEA delineates the project site within the Vina-Farwell (VN-Fd) soil group/association (MEA Figure 10-2), which is characterized as deep, well drained soil, with moderate shrink/swell and liquefaction potential and low erosivity. The soil is also characterized as moderately expansive (MEA Figure 10-3).

According to the City's General Plan Final EIR (GPFEIR), there are no known earthquake faults in the project area. Currently, there are no designated Alquist-Priolo Special Study Zones within the Planning Area, nor are there any known or inferred active faults. The project site is not located within a foothill area nor is the project site identified in the County or City General Plans as prone to landslides.

Titles 16 and 18R of the City's Municipal Code establishes building, construction and design standards to which all applicable projects must adhere. As identified in the Municipal Code, Titles 16R and 18R codify the following basic standards:

Table 2 - Title 16 Building Standards and Title 18R Design Criteria and Improvement Standards

Chapter	Title
16R.02	Basic Building Standards
16R.04	Electrical Standards
16R.06	Mechanical Standards
16R.08	Plumbing Standards
16R.10	Sign Standards
16R.22	Grading Standards
16R.37	Floodplain Standards
16R.42	Fire Regulation Standards
18R.08.03	Other Public Ways

Thus, all projects in the City of Chico are required to adhere to the applicable standards of the UBC and the CBC. The project would be required to implement applicable BMPs based on the geologic, seismic and soil characteristics of the project site.

E.1a – E.1d: The proposed project is not located in an Alquist-Priolo Earthquake Fault Zone. There would be **no impact** resulting from the rupture of known faults.

The proposed project would be required to comply with applicable design standards and BMPs, as required by the CBC and Municipal Code. Because the project would be required to adhere to adopted standards, potential impacts associated with seismic ground shaking is **less than significant.**

Unique and unusual geologic features identified in the City's GPFEIR are identified primarily in the foothill area framing the eastern edge of the City's urban area. Liquefaction occurs in areas with

shallow groundwater and recently deposited alluvium or poorly compacted fill, characteristics not present on the project site. Thus, the project site is not subject to hazards resulting from liquefaction or landslides. Impacts are **less than significant.**

MITIGATION: None required.

E.2: The project site is not in an area of highly erosive soils. Furthermore, the project would be required to adhere to the applicable standards of the City's Grading Ordinance, as identified in Chapter 16R.22 of the Municipal Code. Potential erosion impacts are considered **less than significant.**

MITIGATION: None required.

E.3: The project is not proposed in an area that is identified as having high landslide, liquefaction, lateral spreading or subsidence risks. Furthermore, the design standards of the UBC and CBC, as adopted by the Municipal Code, set forth BMPs that address these potential soil-related hazards. Impacts are considered **less than significant.**

MITIGATION: None required.

E.4: Most soil groups within the City's planning area are characterized as moderate to highly expansive. The Safety Element of the City's General Plan establishes Implementing Policy S-I-5, which states, "Continue requiring all new buildings in the City to be built under the seismic requirements of the Uniform Building Code." Thus, project approval is contingent on implementation of appropriate BMPs and adherence to applicable regulations and design standards. However, it should be noted that the proposed project would result in bicycle path improvements and does not result in the construction of dwellings or occupied structures. Therefore, "buildings" is the construction of a bike path. Impacts are considered **less than significant.**

MITIGATION: None required.

E.5: The proposed project would result in bicycle path improvements and does not include construction of dwellings, occupied structures or facilities that require the disposal of septic sewerage or other wastewater. Accordingly, the proposed bike path does not require installation of sewer system connections or onsite septic disposal systems. There is **no impact**.

MITIGATION: None required.

F.	Hazards/ Hazardous Materials: Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
2.	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
3.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

4.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X
5.	For a project located within the airport land use plan, would the project result in a safety hazard for people residing or working in the project area?		X
6.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?		X
7.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X
8.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?		X

DISCUSSION:

The proposed bicycle path alignment extends from an existing bicycle path undercrossing at Highway 99 and Humboldt Avenue/Clover Street, crosses over Little Chico Creek and continues within the East 20th Street Community Park. The proposed facilities would likely increase pedestrian and bicycle traffic within the project area; however, vehicular traffic and land uses in the project area would not be impacted by the proposed project.

The City's MEA (MEA Figure 9-3) does not list the project site as an Identified Hazardous Waste Site. In addition, the California Department of Toxic Substances Control (DTSC) does not identify the site in its Hazardous Waste and Substances List (Cortese List). In California, the transport of hazardous waste is regulated by Division 20, Chapter 6.5, Articles 6 and 13 of the California Health and Safety Code and Title 22, Division 4.5, Chapter 13 of the California Code of Regulations.

The Chico Municipal Airport is approximately 5 miles north of the project site. A small, private airstrip is located approximately 3 miles west of the project site. The project is not located in an airport land use plan.

The proposed project would result in bikeway and pedestrian improvements in primarily within the boundaries of East 20th Street Community Park and adjacent to the northwest corner of Chapman Elementary School. However, the proposed path improvements would not result in facilities that would emit or handle hazardous materials or substances.

According to the MEA, there is a fire station within seven minutes of all incorporated locations in the Chico urban area. The project site lies within the service area of Fire Station Four, located at 2405 Notre Dame Boulevard, approximately 1.5 miles from the entrance of the park. The area of the project site north of Little Chico Creek would be served by Fire Station One, located at 842 Salem Street, approximately 1.25 miles west of the project site in downtown Chico.

F.1 – F.2: The construction of bicycle paths and related infrastructure does not involve the use of large amounts of hazardous substances. Construction vehicles and equipment do use small amounts of petroleum products that could accidentally be spilled onto the site. Construction activities are strictly regulated by local, state and federal guidelines, which prevent the accidental release of toxic substances into the environment. The project will be required to adhere to the City

Municipal Code, Title 16, Building Standards, which are based on the UBC and require incorporation of BMPs, such as designating staging areas for construction vehicles. The City will also be required to develop a SWPPP and incorporate practicable and relevant BMPs, pursuant to the City's SWAP (refer to Section G, Hydrology and Water Quality, for a complete discussion). Adhering to pertinent regulations during construction activities would reduce potential impacts resulting from the storage, transport, disposal or accidental release of hazardous materials to levels that are considered **less than significant**.

MITIGATION: None required.

F.3 – F.8: The proposed bicycle path terminates at the intersection of East 16th Street/Guill Street/Cleveland Street adjacent to Chapman Elementary School. However, the project's proximity to existing or proposed schools is not relevant with regard to hazardous materials, as the bike path would not result in emissions or production of hazardous materials. The DTSC identifies no sites from its Cortese List within the project area. The project site is not located within an area identified on an airport land use plan, nor is it in the vicinity of a private airstrip. As such, the proposed project would not result in safety hazards to people residing or working in the area due to the proximity of airports. Development of the proposed project would neither hinder the implementation, nor physically interfere with, emergency response or evacuation plans. The project site is located between a residential area and Highway 99 within a developed recreational/park area. Therefore, the project would not introduce people or structures to wildland fire hazards compared to pre-project conditions. There would be **no impact**.

MITIGATION: None required.

G.	Hydrology / Water Quality: Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Violate any water quality standards or waste discharge requirements?			X	
2.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?			X	
3.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
4.	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
5.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
6.	Otherwise substantially degrade water quality?			X	
7.	Place real property within a 100-year flood hazard area as mapped on a federal Flood Hazard				X

	Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		
8.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X
9.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?		X
10.	Inundation by seiche, tsunami, or mudflow?		X

DISCUSSION:

The proposed project includes a bridge crossing over Little Chico Creek and would require the construction of facilities adjacent to the northern and southern banks of the creek. The bridge would be a clear-span pedestrian bridge and would not require modifications to the creek embankment. The construction of the bike path would result in a slight increase in impervious surfaces. With the exception of the area immediately adjacent to Little Chico Creek, the project site is not located within a flood hazard area. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) the project site is designated as Zone X, "areas determined to be outside 500-year floodplain." The area immediately adjacent to Little Chico Creek is designated as Zone AO, "flood depths of 1 to 3 feet."

G.1, G.3 – G.6: The project proposes grading and construction activities that are subject to Central Valley Regional Water Quality Control Board *(*CVRWQCB) and City guidelines.

The City's General Plan encourages use of natural drainage techniques and provides policies to ensure provision of adequate drainage facilities. To ensure compliance with the Federal Clean Water Act (CWA) and Phase II of the National Pollution Discharge Elimination System (NPDES) Storm Water Program, the City of Chico has implemented the Storm Water Management Program (SWAP) as approved by the CVRWQCB. The SWAP assists with interpretation and application of the storm water requirements of the CWA. It provides an overall storm water management program, which identifies appropriate actions and Best Management Practices (BMPs) to address water quality problems and regulatory requirements.

Prior to the commencement of grading and construction activities, the City will ensure compliance with the SWAP and NPDES Phase II program, which includes the identification of appropriate BMPs and preparation of a Stormwater Pollution Prevention Plan (SWPPP). Compliance with these regulations provides adequate reduction of potential stormwater impacts. In addition, the project would be subject to City grading standards as identified in Municipal Code Chapter 16R.22.

Design of the project in accordance with the BMPs required for compliance with the NPDES Phase II Program will ensure the impacts related to water quality are less than significant. NPDES compliance and adhering to the appropriate BMPs included in the grading permit would result in **less than significant** impacts to drainage and runoff.

MITIGATION: None required.

G.2: There would be no new sources of groundwater extraction. The slight increase in impervious surface area would not impede groundwater recharge. Water supply impacts would be **less than significant**.

MITIGATION: None required.

G.7 – G.10: With the exception of the area immediately adjacent to Little Chico Creek, the proposed project site is not located within a 100-year flood zone as identified by the National Flood Insurance Program's Flood Insurance Rate Map 06007C0505C. The project would not create structures or facilities that would impede or redirect flood flows. The project would involve improvements to a predominantly previously disturbed and developed area. No significant impacts to safety would occur beyond existing conditions. Additionally, risks associated with inundation by seiche, tsunami, or mudflow would not occur beyond existing conditions. The project would result in **no impact.**

MITIGATION: None required.

H.	Land Use and Planning: Will the project or its related activities be inconsistent with:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	General Plan or Specific Plan policies or zoning regulations?			X	
2.	Physically divide an established community?			X	
3.	Conflict with any applicable Resource Management or Resource Conservation Plan?			X	
4.	Result in substantial conflict with the established character, aesthetics or functioning of the surrounding community?			X	
5.	Be a part of a larger project involving a series of cumulative actions?			X	
6.	Result in displacement of people or business activity?			X	
7.	Conversion of viable prime agricultural land and/or land under agricultural contract to non-agricultural use, or substantial conflicts with existing agricultural operations? (Viable agricultural land is defined as land on Class I or Class II agricultural soils of 5 acres or greater, adjacent on no more than one side to existing urban development.)				X

DISCUSSION:

H.1 – H.5: The proposed project would result in the construction of a bicycle path extending from Little Chico Creek and Humboldt Avenue/Clover Street (west of Highway 99) to the East 20th Street Community Park. The bridge crossing over Little Chico Creek is located within the California Department of Transportation (Caltrans) right-of-way and adjacent to a low density residential area. The remaining portion of the project is located within an area designated as *Parks* (P) in the General Plan and located within the *Secondary Open Space* (OS2) zoning district.

> *OS2 (Secondary Open Space) District. The OS2 zoning district is applied to areas where open space is created or maintained as a byproduct of another use, including agricultural areas, and very low density residential areas. The OS2 zoning district is consistent with the Open Space for Parks (active) and Creekside Greenways land use classifications of the General Plan.(Ord. 2185)*

The proposed bicycle path facility and clear-span bridge crossing are consistent with the standards of the site's zoning district and land use designation.

As stated previously, the project is an identified component of the 2007 Chico Urban Area Bicycle Plan (CUBP) and will tie in with the existing City bicycle paths. The CUBP was part of a comprehensive bicycle planning effort that began with the original 1991 CUBP that later became part of the 1995 Chico Urban Area Bicycle Transportation Plan (updated by the Butte County Association of Governments). The City of Chico has updated the plans in 1998, 2002, and most recently in 2007. The 2007 CUBP is a continued effort by the City of Chico to assess the needs of bicyclists in the community and to try to assure needed facilities will be provided in the future. In addition, the 2007 CUBP addresses the requirements of the Bicycle Transportation Act (SB 1095), thereby making the facilities included in the plan eligible for various grant funds. Lastly, the City of Chico General Plan, adopted in 1994 and updated in February 1999, includes a number of specific goals and policies related to bicycle and pedestrian paths that are included in the 2007 CUBP.

The proposed project would provide for a more consistent, direct and safe route for cyclists and pedestrians to travel throughout the City and to existing park facilities. The CUBP of 2007 includes the goal of "provide safe and direct routes for cyclists between and through residential neighborhoods, commercial areas, schools, and other major destinations within the Chico Urban Area." This project would create a more cohesive community where movement throughout the City is available to a broader range of the population. The Issues Section of the CUBP states:

> *The chief issue facing the planning and implementation of bikeways in the Chico Urban Area is the physical barriers to bicycle travel. A number of major barriers exist throughout the area which inhibit the use of bicycles, or make the use of bicycles very inconvenient for many trips. Some of these barriers are of a fixed physical nature, such as creeks and freeways, while others such as busy roadways are more perceptive.*

Little Chico Creek is identified as one of the major barriers that currently exists in the Chico Urban Area with limited bicycle/pedestrian crossings that can accommodate both bicycle and automotive traffic safely.

Per City standards, the design of infrastructure, materials and colors shall be visually compatible with the surrounding area and provide an attractive environment. The proposed project would enhance the utility of existing bicycle and pedestrian routes, possibly reducing automobile traffic, thus, enhancing the functioning of the surrounding community.

The Transportation Element and Community Design Element of the Chico General Plan sets forth a series of policies pertaining bicycle and pedestrian facilities against which the proposed project can be evaluated.

- Transportation Element
  - T-G-1: "Develop a system of sidewalks and bikeways…"
  - T-G-2: "Provide safe and direct pedestrian routes and bikeways…"
  - T-G-6: "Plan and design pedestrian facilities to meet the needs of disabled persons."
  - T-I-3: "Make bikeway improvements a funding priority by…"
  - T-I-4: "Implement the bikeway plan by…"
  - T-I-12: "Increase bicycle safety by…"
- Community Design Element
  - CD-G-12: "Open up creeks to public view and access."
  - CD-G-13: "Extend the amenity value of the creeks."
  - CD-G-14: "…diminish the barrier effect of creeks…Bridges should be designed for bikes and pedestrians."
  - CD-G-30: "Improve the physical linkages to…Bidwell Park through creek crossings, trails, and other bicycle and pedestrian improvements."

In addition, the project is being funded through the Bicycle Transportation Account (BTA). The BTA provides state funds for city and county projects that improve the safety and convenience of bicycle commuters. Eligible projects include new bikeways that serve major transportation corridors, secure bicycle parking, bicycle-carrying facilities on transit vehicles, installation of traffic control devices, planning, bikeway improvements, maintenance and hazard eliminations.

Potential land use impacts associated with the proposed project are considered **less than significant.**

Mitigation: None required.

H.6: The proposed project would not result in displacement of any homes or businesses in the area. Therefore, there is **no impact.**

Mitigation: None required.

H.7: The project site is located in the city limits and predominantly within the boundaries of the East 20th Street Community Park Facilities. The clear-span bridge crossing over Little Chico Creek would be located adjacent to a low density residential area and within the Caltrans right-of-way. Therefore, the proposed project would neither convert, nor cause conflict with, agricultural uses. Because there are no agricultural uses or contracts at the project site, project activities would have **no impact** on the conversion of agricultural lands**.**

Mitigation: None required.

I.	Noise: Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Exposure of residents in new hotels, motels, apartment houses, and dwellings (other than single-family dwellings) to interior noise levels (CNEL) higher than 45 dBA in any habitable room with windows closed?				X
2.	Exposure of sensitive receptors (residential, parks, hospitals, schools) to exterior noise levels of 60 dBA L or higher?			X	
3.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
4.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
5.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
6.	For a project located within the airport land use plan, would the project expose people residing or working in the project area to excessive noise levels?				X
7.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

DISCUSSION:

The Chico General Plan establishes community standards for noise generation. Noise generation criteria are adopted in the General Plan to achieve the City's goals of protecting residents and sensitive receptors from the harmful and annoying effects of exposure to excessive noise. The General Plan identifies maximum allowable noise exposure levels for various land uses. Noise sensitive land uses such as schools and residences have lower permissible noise exposure levels than other uses such as playgrounds and neighborhood parks. In addition, the Chico Municipal Code, Chapter 9.38, Noise Ordinance, further regulates noise generation within the City of Chico. The ordinance prohibits noise sources on public properties from producing a noise level that exceeds 60dBA (decibels on an A-weighted scale) at 25 feet or more from the source.

I.1: The project would not result in construction of dwellings or structures, thus the interior noise thresholds are not applicable. Therefore, there would be **no impact** associated with the exposure of people in the project area to interior noise in excess of 45dBA in any habitable room.

MITIGATION: None required.

I.2, I.4 – I.5: The General Plan identifies Highway 99 as one of the most significant noise sources within the City. The portion of the proposed bicycle path extending from Little Chico Creek to the East 20th Street Community Park's parking lot is within the 60dBLdn (Decibel, Day-Night Noise Level) noise contour for Highway 99. Subsequent users of the proposed bicycle path could be exposed to temporary noise increases at or above 60dB as they travel in the vicinity of Highway 99. Table 9.2-1 of the Chico General Plan identifies the feasibility of developments relative to noise levels. Outdoor land uses, such as playgrounds and parks are identified as "feasible" with an outdoor noise exposure up to 70dB and "probably feasible" with levels of 75-80dB. As the project proposes to improve pedestrian and cycling conditions in an area that is already used in a recreational capacity (community park), significant exposure to noise over pre-project conditions is not expected.

Surrounding land uses do include single family residences, Chapman Elementary School, as well as East 20th Street Community Park, which are identified as sensitive receptors in the City's General Plan. The nearest sensitive receptors to the project site are residential land uses and school near the terminus of the proposed project. During the construction phases of the project, noise from equipment and construction activities would add to the noise environment in the immediate project vicinity. Construction equipment to be used may include a backhoe, pavers, rollers, sealers and heavy trucks. Construction activities would be temporary in nature and would occur during normal daytime working hours. Contractors will be required to comply with the Chico Municipal Code, Chapter 9.38, Noise Ordinance, which sets form the City's standards for construction-generated noise and limits the hours of construction activities within the City. Additionally, the Chico Municipal Code, §9.38.060 contains a categorical exemption for construction activities as follows:

> *9.38.060 Categorical exemptions.*
> *The following … exempt from the provisions of this chapter:*
> *B. … Notwithstanding any other provision of this chapter, between the hours of ten a.m. and six p.m. on Sundays and holidays, and seven a.m. and nine p.m. on other days, construction … shall be subject to one of the following limits:*
> *1. No individual device or piece of equipment shall produce a noise level exceeding eighty three (83) dBA at a distance of twenty-five (25) feet from the source.*

Activities involved in construction would be required to adhere to the City's noise standards, as identified in Chapter 9.38 of the Chico Municipal Code. Furthermore, construction activities would generate maximum noise levels below the Chico Municipal Code threshold and would be exempt from the provisions of the City's noise ordinance requirements.

The proposed bicycle path would not result in permanent generation of noise levels significantly higher than existing ambient levels. Therefore, impacts associated with the exposure of sensitive receptors to a permanent increase in noise levels in the project vicinity is considered **less than significant.**

MITIGATION: None required.

I.3: The use of construction equipment during construction of the proposed project is not expected to result in temporary or permanent excessive groundborne vibration or groundborne noise levels. Temporary and permanent noise and groundborne noise and vibration would occur at levels that are considered **less than significant**.

MITIGATION: None required.

I.6 – I.7: The project site is not located in the vicinity of an airstrip, within an airport land use plan, or other aviation area. There would be **no impact** stemming from the exposure of people in the project area to excessive noise levels associated with aviation land uses.

MITIGATION: None required.

J.	Open Space/Recreation: Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Affect lands preserved under an open space contract or easement?			X	
2.	Affect an existing or potential community recreation area?			X	
3.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
4.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

DISCUSSION:

J.1 – J.3: The proposed project is predominantly located within an area that is designated as *Parks* (P) in the General Plan and within the *Secondary Open Space* (OS2) zoning district. There are no existing open space contracts or easements that would be compromised by the proposed project.

The proposed project extends from Little Chico Creek to the northern boundary of the East 20th Street Community Park, where it parallels Highway 99 along the park's western property boundary to the northernmost parking lot. The proposed bicycle path turns west along an existing pedestrian path to the western park boundary then extends south to its terminus at East 16th Street/Guill Street/Cleveland Avenue near Chapman Elementary School. Recreationists may experience temporary and minor aesthetic and noise impacts associated with construction activities during their use of the park. Once the project is completed, the area will function in a similar, yet more efficient manner. The conditions for recreation will improve in terms of safety and access once the project is completed.

The East 20th Street Community Park is an established recreational/park facility. Generally, installation of bicycle paths and other connections do not increase the use of a park, but rather it is the type of recreational facility destination, such as the gymnasium, tennis courts, playground and soccer fields that creates the motive to travel and ultimately use the park. Therefore, the development of a bicycle path would not increase the use of existing community park facilities in which substantial deterioration of the facility would occur or be accelerated.

However, the bike path would provide an alternate bicycle and pedestrian route, separated from vehicular traffic and thus complete another segment of the *Chico Urban Area Bicycle Plan* (CUBP). A benefit of the project would be increased connectivity between existing bicycle lanes while providing a safer environment for cyclists and motorists. Thus, the project may result in greater use of existing bicycle lanes and paths. The project is consistent with City policies identified in the General Plan, the City's Capital Improvement Program and the CUBP (see the Land Use and Planning, Transportation/Circulation and Mandatory Findings of Significance sections of this document for further discussion).

Based on the discussions above, potential impacts on open space, easements and community recreation areas are considered **less than significant**.

MITIGATION: None required.

J.4: The proposed bicycle path implements a recreational and circulation facility planned in the General Plan, the City's Capital Improvement Program and the Chico Urban Area Bicycle Plan There would be **no impact**.

MITIGATION: None required.

K.	Public Services: Will the project or its related activities have an effect upon or result in a need for altered governmental services in any of the following areas:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	1. Fire protection?			X	
	2. Police protection?			X	
	3. Schools?				X
4.	Parks and recreation facilities? (See Section J Open Space/Recreation)			X	
5.	Maintenance of public facilities, including roads, canals, etc.?			X	
6.	Other government services?			X	

DISCUSSION:

The project site is located within the city limits, adjacent to existing roadways and developments. The Chico Fire Department serves the project site and surrounding parcels. As described in Section F, Hazards/Hazardous Materials, of this study, East 20th Street Community Park and the project site are located within the service area of Fire Station Four.

The Chico Police Department (CPD) serves the incorporated portion of the City's planning area. The CPD is responsible for enforcing State laws and City ordinances in the area of the project site.

The project site is located within the Chico Unified School District. The proposed improvements would improve access to area schools including Chapman Elementary School and Marsh Junior High School.

K.1 – K.2, K4 – K.6: The proposed project would not require additional firefighting equipment nor any additional fire or police personnel. Once completed, the project would likely require routine, yet minimal, maintenance in order to maintain design details. As described in Section H, Land Use and Planning, of this study, the proposed facilities are consistent with both the *Chico Urban Area Bicycle Plan* and the General Plan.

The proposed project would not generate additional demand on public services. Rather the proposed improvements are in response to an existing demand for safe and separate, non-motorized facilities in the project area. The proposed project would not result in a population increase within the project area, nor would it result in altered land uses over pre-project conditions.

No other governmental services are affected by the project. As described in the City's General Plan Land Use and Transportation Elements, increased bicycle use, connectivity and safety are beneficial objectives that reduce potential impacts caused by population growth and excessive automobile use. Therefore, impacts associated with any changes in the demand on these public services would be considered **less than significant**.

MITIGATION: None required.

K.3: No new residences are proposed with this project. The project would not contribute additional students to the local schools and school impact fees would not be required. There is **no impact** to school services.

MITIGATION: None required.

L. Population and Housing: would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
4. Conflict with General Plan population growth rates for its planning areas in conjunction with other recently approved development?				X

DISCUSSION:

L.1 – L.4: The proposed project would occur within the existing city limits and is predominantly located within an existing community park facility. The project would not induce population growth directly, as it does not propose the construction of residences or similar land uses. The proposed bicycle and pedestrian facility is not an infrastructure improvement (such as sanitary sewers) that

could lead to the area being able to support larger populations than under current conditions. No housing units, people or businesses would be temporarily or permanently displaced by the proposed project. The project would not result in access to areas that were once undevelopable due to lack of infrastructure. The project is not considered growth inducing. With regard to housing and population, the project would have **no impact**.

MITIGATION: None required.

M.	Transportation/Circulation Factors: Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Traffic volumes which exceed established Level of Service (LOS) standards on roadway segments or at intersections, or which do not meet applicable safety standards? Based on General Plan policies, significant impacts would generally result if traffic exceeded LOS C on residential streets, LOS D on arterial and collector streets/intersections, and (under specific circumstances) LOS E in built-out areas served by transit.				X
2.	The absence of bikeway facilities in the general locations identified in the General Plan, consistent with guidelines in the *Chico Urban Area Bicycle Plan*, or failure to meet applicable design requirements and safety standards?				X
3.	Travel characteristics which are not consistent with standards established in the *Butte County Congestion Management Plan* (CMP), or other General Plan policies related to Transportation Systems Management (TSM)?				X
4.	Substantial impact on existing or proposed public transit systems including rail and air traffic?				X
5.	Effects on existing parking facilities or demand for new parking not provided for by the project?				X
6.	Increase traffic hazards to motor vehicles, bicycles, pedestrian or other traffic?				X
7.	A change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

DISCUSSION:

Highway 99 forms the eastern boundary of the project site. Other roadways in the vicinity of the project site include Humboldt Road, located north of Little Chico Creek and east of Highway 99, and Humboldt Avenue, located north of Little Chico Creek and west of Highway 99. An existing bicycle path crosses under Highway 99 and connects these two roadways. An existing bridge crossing over Little Chico Creek is provided by Bruce Street, located approximately 0.15 miles west of the proposed project's bridge crossing. This bridge also provides vehicle access across the creek. Another bicycle path crossing over Little Chico Creek is located 0.45 miles east of the project site, off Humboldt Road. East 20th Street is a major arterial south of the proposed project. This roadway provides access to the Community Park and Highway 99. Roadways that provide access to the terminus of the proposed bicycle path at Chapman Elementary School include East 16th Street,

Guill Street and Cleveland Avenue. Public transit within the project vicinity is provided by the Butte Regional Transit System (B-line).

As stated previously in the Section H, Land Use and Planning, the project is an identified component of the 2007 *Chico Urban Area Bicycle Plan* (CUBP) and will tie in with the existing City bicycle paths. The CUBP was part of a comprehensive bicycle planning effort that began with the original 1991 Chico Urban Area Bicycle Plan that later became part of the 1995 Chico Urban Area Bicycle Transportation Plan (updated by the Butte County Association of Governments). The City of Chico has updated the Plan in 1998, 2002, and most recently in 2007. The 2007 CUBP is a continued effort by the City of Chico to assess the needs of bicyclists in the community and to assure needed facilities will be provided in the future.

M.1 – M.7: The proposed project would provide a Class I bike path, thereby improving the connectivity of bicycle routes and paths in the area, and is itself an alternative transportation facility. Additionally, by providing separate and improved facilities for pedestrians and bicyclists, there will be fewer disruptions in the flow of vehicular traffic in the project area. The installation of the proposed facilities is consistent with the County's *Congestion Management Plan* and the City's Transportation Systems Management policies. The proposed project is not expected to require additional services from the B-Line. The project is intended to reduce existing hazards by providing facilities for bicyclists and pedestrians that are currently lacking. These facilities would be constructed pursuant to relevant safety guidelines identified by Caltrans and the City and are intended to improve the existing bicycle network. The project is consistent with the City's General Plan Transportation and Community Design Elements, the City's Capital Improvement Program and the CUBP. The project is intended to improve current transportation and circulation conditions, by using funds identified for this purpose and in a manner that is consistent with City policies.

The project does not include any development (housing, commercial, etc.) that would create new vehicular trips, nor increase demand on parking facilities. The proposed improvements are intended to improve bicycle and pedestrian circulation in the area. Lastly, the project would not result in changes to air traffic patterns. The project would result in **no impact** to transportation/circulation factors.

MITIGATION: None required.

N.	Utilities: Will the project or its related activities have an effect upon or result in a need for new systems or substantial alterations to the following utilities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	Water for domestic use and fire protection?				X
2.	Natural gas, electricity, telephone, or other communications?				X
3.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
4.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
5.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
6.	Have sufficient water supplies available to serve the project from existing entitlements and				X

	resources, or are new or expanded entitlements needed?			
7.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X
8.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X
9.	Comply with federal, state, and local statutes and regulations related to solid waste?			X

DISCUSSION:

N.1 – N.4, N.6 – N.9: The proposed project would not result in the need for new water lines, natural gas, electricity, telephone or other communications in the vicinity. There would be no new wastewater discharges associated with the implementation of this project. The project would not result in increased demands on water treatment facilities. The proposed project does not include uses that require new water services. The project does not propose a land use that would result in increased demands on wastewater treatment or landfill capacity. Therefore, there would be **no impact** to these utilities**.**

MITIGATION: None required.

N.5: As described in the Biological Resources, Geology/Soils and Hydrology/Water Quality Sections of this study, potential impacts to water quality and quantity would be avoided by adhering to pertinent local, state and federal guidelines and through the implementation of appropriate BMPs. The City will adhere to the SWAP and grading standards identified in Chico Municipal Code Section 16R.22. The City's Storm Water Management Program (SWAP) implements storm water requirements of the Federal Clean Water Act. It provides an overall storm water management program, which identifies appropriate actions and BMPs. The drainage plan requires adherence to the City's NPDES Phase II Program, including implementation of appropriate BMPs. The project would not result in increased demand on existing stormwater facilities. Adhering to the appropriate federal, state and local guidelines, as identified in this document, would result in the project generating **less than significant** impacts.

MITIGATION: None required.

5. MANDATORY FINDINGS OF SIGNIFICANCE:

Pursuant to Section 15382 of the State CEQA Guidelines, a project shall be found to have a significant effect on the environment if any of the following are true:

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
A.	The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.		X		
B.	The project has possible environmental effects which are individually limited but cumulatively considerable. (Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current and probable future projects.			X	
C.	The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.			X	

DISCUSSION:

3.A: Construction activities could generate temporary fugitive dust and ozone precursor emissions, thus contributing incrementally to air quality degradation. Mitigation Measure B.1 would reduce potential air quality impacts to levels considered less than significant.

The project site is located within a "park" biotic community, which is described as open space areas that are predominantly landscaped. Vegetation in these areas includes large expanses of turf with non-native tree species as well as landscaped areas. Because of the non-native cover and frequent human disturbance (noise and human intrusion), wildlife usage is low and includes those species which readily adapt to non-native vegetation and tolerate regular disturbance. No special status species are associated with "park" habitats; these areas provide only limited value as wildlife habitat. Therefore, project-related activities do not have the potential to impact biological resources, including special-status species.

Presently undiscovered archaeological resources could be impacted as a result of the project. The City's Standard Mitigation and Monitoring Program, as set forth in the *Best Practices Technical Manual*, for cultural resources, including undiscovered human remains, would maintain impacts at a less than significant level. The proposed project does not have the potential to significantly alter drainage patterns on site. Adherence to the City's SWAP, including implementation of BMPs during grading, will ensure that sediment transport and other water quality impacts are maintained at less than significant levels. Implementation of the listed mitigation measures, Standard Mitigation and Monitoring Programs and adherence to all other applicable local, state and federal regulations, as identified in this document, would result in the project having **less than significant impacts with mitigation incorporated.**

3.B – 3.C: The project proposes the construction of bicycle path facilities in an area where a deficiency currently exists. The project is consistent with guidelines set forth in the City's General

Plan, Capital Improvement Program, and Municipal Code and implements a segment of the *Chico Urban Area Bicycle Plan* (CUBP).

As discussed in Section H, Land Use and Planning, of this study, the Transportation Element and Community Design Element of the City's General Plan sets forth a series of policies pertaining to bicycle and pedestrian facilities against which the proposed project can be evaluated.

- Transportation Element
  - T-G-1: "Develop a system of sidewalks and bikeways…"
  - T-G-2: "Provide safe and direct pedestrian routes and bikeways…"
  - T-G-6: "Plan and design pedestrian facilities to meet the needs of disabled persons."
  - T-I-3: "Make bikeway improvements a funding priority by…"
  - T-I-4: "Implement the bikeway plan by…"
  - T-I-12: "Increase bicycle safety by…"
- Community Design Element
  - CD-G-12: "Open up creeks to public view and access."
  - CD-G-13: "Extend the amenity value of the creeks."
  - CD-G-14: "…diminish the barrier effect of creeks…Bridges should be designed for bikes and pedestrians."
  - CD-G-30: "Improve the physical linkages to…Bidwell Park through creek crossings, trails, and other bicycle and pedestrian improvements."

Consistency with the City's General Plan and General Plan EIR, the *Best Practices Technical Manual*, the Chico Municipal Code, the Capital Improvement Program, the CUBP and the Caltrans Highway Design Manual ensure that the project would result in beneficial improvements where current deficiencies have been identified. Compliance with local, state and federal guidelines, as noted in this document, will ensure that the project does not significantly contribute to cumulative environmental impacts.

With the incorporation of mitigation measures and through adherence to pertinent local, state and federal regulations, as identified in this document, the project would not result in direct or indirect adverse effects on human beings.

The project will be required to adhere to existing regulations, conditions of approval and mitigation measures, as set forth in this document. In addition, the proposed bicycle path would implement a segment of the CUBP, which was prepared in consultation with local, regional and state-wide policies and plans. Increased bicycle use in the community has been identified as a means to avoid or reduce environmental impacts generated by increased urbanization. The proposed bike path would not result in direct or indirect significant environmental impacts. The proposed bike path would be designed and constructed according to Caltrans, UBC/CBC and City of Chico design standards. Thus, cumulative environmental effects and adverse effects on humans would be **less than significant**.

6. REFERENCES:

Butte County Air Quality Management District. 2008. CEQA Air Quality Handbook. http://www.bcaqmd.org/forms/News%20and%20Notices/final%201-08%20CEQA%20Handbook.pdf

City of Chico. 1994a. City of Chico General Plan.
1994b. City of Chico General Plan Master Environmental Assessment.
1994c. Final Environmental Impact Report for Chico General Plan. Chico, CA.
1998. Best Practices Technical Manual.
2000a. Municipal Code, Title 12, Parks.
2000b. Municipal Code, Title 19R, Land Use.
2004a. Stormwater Management Program. July 2004.
2004b. Municipal Code, Title 18R, Design Criteria and Improvement Standards. August 2004.
2007a. Municipal Code, Title 16R, Building Standards.
2007b. Chico Urban Area Bicycle Plan. November 2007.

California Department of Conservation. 2002. Farmland Mapping and Monitoring Program - Butte County Important Farmland (GIS Dataset).

California Department of Fish and Game. 2006. California Natural Diversity Data Base Map.

Federal Emergency Management Agency. 1998. Flood Insurance Rate Map No. 06007C0505C.

Hanover Environmental Services. 2008. Biological Resource Assessment for the Little Chico Creek Bike Path.

NRCS, Natural Resources Conservation Service. Web Soil Survey, 2.0. National Cooperative Soil Survey, USDA. http://websoilsurvey.nrcs.usda.gov/app/

Note: The above referenced information is available for public review at the City of Chico Capital Project Services Department, 411 Main Street, Chico, California, 2nd Floor, or at the identified webpage.

ATTACHMENTS

ATTACHMENT A

Westerly Bridge

NOTICE OF DETERMINATION

TO: [ ] Office of Planning & Research
State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

[X] County Clerk
County of Butte
25 County Center Drive
Oroville, CA 95965

FILED
SEP - 5 2008
CANDACE J. GRUBBS, BUTTE CO. CLERK
M Zarate DEPUTY

FROM: City of Chico
Capital Project Services
P.O. Box 3420
Chico, CA 95927

DATE RECEIVED FOR FILING 9-5-08

Posted 9-5-08 (Date) **through** _____ (Date)

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: Little Chico Creek Bicycle Path (MAJGS / 12058)

State Clearinghouse No. (if applicable): N/A

Lead Agency Contact: Tracy R. Bettencourt, AICP **Area Code/Telephone:** (530) 879-6903

General Project – Location: Chico, Butte County

Location – Specific: The path will originate at Humboldt Avenue/Clover Street intersection, travel southbound over Little Chico Creek to the north end of the East 20th Street Community Park along the eastern park boundary and parallel to Highway 99, and continue on between the softball and soccer fields toward the western park boundary and terminate at Chapman Elementary School.

Description of Project: The City is proposing to develop a Class I bicycle path between Little Chico Creek, through the East 20th Street Community Park to Chapman Elementary School. The bicycle path will cross Little Chico Creek on a newly installed clear-span bridge located outside of the ordinary high water mark. The proposed bicycle path would be constructed in accordance with Caltrans standards, where applicable. The Class I bicycle path would have a minimum right-of-way of 12-feet (8 feet paved and 2 feet of graded shoulder on each side). Questions regarding the environmental review for this project may be directed to Tracy R. Bettencourt, AICP – Senior Planner for Capital Project Services, who can be reached at (530) 879-6903 or via email at tbettenc@ci.chico.ca.us.

This is to advise that the City of Chico, as Lead Agency, approved the above described project on 09-5-08 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at the City of Chico Capital Project Services, 411 Main Street, 2nd Floor, Chico, CA 95928.

Signature: Tracy R Bettencourt Date: 9/5/08 Title: Senior Planner

DECLARATION OF FEES DUE
(California Fish and Game Code Section 711.4)

FOR CLERK USE ONLY

NAME AND ADDRESS OF LEAD AGENCY:

City of Chico – Capital Project Services
411 Main Street
Chico, CA 95928

NAME AND ADDRESS OF APPLICANT:

City of Chico – Capital Project Services
P.O. Box 3420
Chico, CA 95927

FILING NO.

Project::Little Chico Creek Bicycle Path (MAJGS 12058)

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

1. NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION

[ ] A. Statutorily or Categorically Exempt
$50.00 Butte County Clerk's Filing Fee

[ ] B. General Rule Exemption
$50.00 Butte County Clerk's Filing Fee

2. NOTICE OF DETERMINATION - FEE REQUIRED

[X] A. Negative Declaration
*$1,876.75 Department of Fish and Game State Filing Fee**
$50.00 Butte County Clerk's Filing Fee

[ ] B. Environmental Impact Report
*$2,606.75 Department of Fish and Game State Filing Fee**
$50.00 Butte County Clerk's Filing Fee

TWO COPIES OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE BUTTE COUNTY CLERK'S OFFICE.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING ANY ENVIRONMENTAL DOCUMENTS WITH THE BUTTE COUNTY CLERK'S OFFICE.

THREE COPIES OF ALL NECESSARY DOCUMENTS ARE REQUIRED FOR FILING PURPOSES.

MAKE CHECKS PAYABLE TO COUNTY OF BUTTE.

***CALIFORNIA DEPARTMENT OF FISH AND GAME FILING FEES ARE SPECIFIED IN FISH AND GAME CODE SECTION 711.4(d).**

Westerly Bridge

CITY OF CHICO

CHICO, CA

VENDOR ID	VENDOR NAME	CHECK DATE	CHECK NO.
14246	BUTTE COUNTY CLERK RECORDER	09/04/08	050121

INVOICE NUMBER	DATE	PO NUMBER	DESCRIPTION	AMOUNT PAID	DISCOUNT	NET AMOUNT
9/4/08	09/04/08		ENV FILING FEE	1,926.75	0.00	1,926.75
					TOTAL	1,926.75

THIS DOCUMENT HAS INVISIBLE FLUORESCENT FIBERS - VIEW UNDER BLACK LIGHT

CITY OF CHICO

PO BOX 3420
CHICO, CA 95927

BANK OF AMERICA
SACRAMENTO GOVERNMENT SERVICES 1436
555 CAPITAL MALL SUITE 265
SACRAMENTO CA 95814-4503

CHECK NO. AP 0050121

09/04/2008

11-35
1210

AMOUNT
******1,926.75

PAY EXACTLY ONE Thousand NINE Hundred TWENTY SIX Dollars and SEVENTY FIVE Cents

TO THE ORDER OF
BUTTE COUNTY CLERK RECORDER
25 COUNTY CENTER DR
OROVILLE, CA 95965

DOCUMENT CONTAINS A COLORED BACKGROUND

⑈050121⑈ ⑆121000358⑆ 14906⑈50003⑈

Recorder's Office

County of

Butte

CANDACE J. GRUBBS

County Clerk-Recorder

1 FISH AND GAME CLERKS FEE	50.00
1 NEGATIVE DECLARATION	1876.75
TOTAL	**1926.75**
CHECK 50121	1926.75
CHANGE	0.00

09/05/2008 1:49PM 200809050008S
MZ ECR-REC17

Thank You
Have a Nice Day!

Requested By:
Public

RESOLUTION NO. 52-08

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO ADOPTING THE 2008-09 FINAL BUDGET FOR THE CITY OF CHICO, THE CHICO PUBLIC FINANCING AUTHORITY AND THE CITY OF CHICO PARKING AUTHORITY

BE IT RESOLVED by the City Council of the City of Chico that:

Section 1. Adoption of the 2008-09 Final Budget

The 2008-09 Proposed Budget, adopted by Resolution No. 43-08 of the City Council of the City of Chico, and all amendments thereto as set forth in the memorandum from the City Manager to the City Council/Chico Redevelopment Agency dated June 16, 2008, be and are hereby adopted as the 2008-09 Final Budget of the City of Chico (hereinafter Final Budget).

The Final Budget includes the 2008-09 budgets of the City of Chico, the Chico Public Financing Authority, and the City of Chico Parking Authority.

Pursuant to §65401 of the California Government Code and §2R.32.020 of the Chico Municipal Code, the City Manager has determined that the public works projects included in the 2008-09 Final Budget are consistent with the Chico General Plan.

The amounts set forth in the Final Budget are hereby appropriated for the purposes therein stated. A true and correct copy of the Final Budget is on file in the Office of the City Clerk and the Final Budget includes all attachments, appendices, and other related documents.

Section 2. Annual Appropriations Limit

Pursuant to §7910 of the California Government Code, the Appropriations Limit, as set forth in Appendix A-6 of the 2008-09 Proposed Budget, is hereby established as the 2008-09 City of Chico Annual Appropriations Limit. The calculation of such limit was on file and available for inspection in the Office of the City Clerk on or before May 23, 2008.

Section 3. Amendment

During the 2008-09 fiscal year, the Final Budget may be amended by resolution, minute order, budget modification or supplemental appropriation adopted by the City Council or modified by the City Manager in accordance with the City of Chico 2008-09 Final Budget Policies.

Section 4. Establishment of Funds

There are hereby established, pursuant to §1104 of the Charter of the City of Chico, the General Fund and such other funds as are provided for in the Final Budget; provided, however, the City Council may establish by appropriate action during the 2008-09 fiscal year such additional funds as it may deem necessary, and the Finance Director shall establish such other funds as are required by law.

Section 5. Administration of Budget

In accordance with the provisions of §701.B. of the Charter of the City of Chico, the City Manager shall administer the Final Budget in accordance with the appropriate provisions of the Charter, ordinances and resolutions of the City, and the Budget Policies as set forth in the Final Budget.

Section 6. Pay and Benefits

Pursuant to the provisions of §909 of the Charter of the City of Chico, the pay and employee benefits provided to City officers and employees shall be as set forth in the several Pay Schedules and the Schedule of Employee Benefits in the Final Budget. However, such Pay Schedules and the Schedule of Employee Benefits may be amended during this fiscal year by any memoranda of understanding with recognized employee organizations approved by resolution of the City Council or by any pay and benefit resolutions for appointed, management or confidential employees approved by the City Council.

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The foregoing resolution was adopted by the City Council of the City of Chico at its meeting held on July 1, 2008, by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Holcombe

NOES: Wahl

ABSENT: None

DISQUALIFIED: None

ATTEST:

Deborah R. Presson, City Clerk

APPROVED AS TO FORM:

Lori J. Barker, City Attorney